# THE ALL INDIA MUSLIM CONFERENCE 1928-1935

## A Documentary Record

K.K. AZIZ

NATIONAL PUBLISHING HOUSE LTD.

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*Compiled and Edited by*

K. K. AZIZ

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# Preface

Documents are to a historian what brick and mortar are to a house-builder. If the fabric of history has to be reared on solid foundations, events which make up what we call history have to be studied in the original, without later glosses, elaborations and explanations. For this it is essential that we have before us a record of things as they happened. I have tried to do this in this volume.

The All India Muslim Conference appeared at a crucial point in the history of twentieth-century Muslim India. The Muslim League was riven into factions, Muslim leadership was uncertain, and the Muslim masses were without guidance or advice. It was in these conditions that the Conference supplied Muslim India with a broad-based platform on which men and groups of varying opinions could foregather and from which the Muslims could speak with one voice on matters which affected their interests and their future. The years spanned by the activities of the Conference covered such vital developments as the insistence of the Indian National Congress on implementing the recommendations of the Nehru Report, the publication of the report of the Indian Statutory Commission, the convening of the three sessions of the Round Table Conference, and the making of the Government of India Act of 1935. Had the Conference not come into existence when it did, it is hard to see which other body could have striven to safeguard Muslim interests.

No history of the origin, activities and achievements of the Conference has yet been written. My compilation of the documents contained here should be considered as raw material for such a history when it comes to be written. I have tried to bring

together whatever I thought was relevant to understanding the role of the Conference in the political developments of these years. I hope the final result will enable the reader to see the work of the Conference in the context of what was then happening in India and Britain.

If it is not taken as a piece of special pleading, may I say that in other countries the task of collecting and editing documents is generally undertaken by teams of historians, so that the work enjoys the advantages of collective effort, wide knowledge and long experience. The problems involved in the operation lend themselves to better handling if the editors' joint fund of learning and expertise is directed to the delicate task of sifting, arranging and annotating the documents. An extensive knowledge of languages within the team enables it to cast its net wider. The specialized knowledge of different members improves the selection and final choice of the items to be included.

But, unfortunately, such a possibility was not open to me. Partly by the indifference shown to my requests for help and co-operation and partly by my isolated academic existence in Khartoum (where nobody is interested in this field), I was forced to undertake the present task alone and without any professional assistance. It is quite possible that this single-handed effort and this isolation from other scholars of the period covered have left a mark on the work. If they have, I can only plead that my enthusiasm and interest outran my capacity to interest my friends and colleagues in the work I have done.

I have written a short introduction indicating the origin of the Muslim Conference and briefly describing its role in national politics. Each document is annotated by way of background notes. A short bibliography at the end might help those who wish to read further in the subject.

The total material on the Muslim Conference is of such limited proportions that there was no occasion to bring the faculty of selection into play. I shall be grateful if the reader will inform me of any material omitted here, so that the second edition, if needed, is more comprehensive than this one.

After this confession of shortcomings I come to the more pleasant task of thanking those who helped me in the preparation and publication of this volume. To my good friend, Syed

Sharifuddin Pirzada, I owe an unrepayable debt of gratitude for taking a deep interest in my work, for discussing with me for long hours the difficulties and pleasures of document-hunting, and for finding me a publisher. Without his encouragement and help this volume would have remained among those several unwritten but lovingly-planned books which every author dreams of producing.

To Mr. Rafe-uz-Zaman of the National Publishing House I am much beholden for several acts of kindness. He managed to make do with only one copy of the typescript. He edited the manuscript with loving care and purified it of several errors, pitfalls and typographical inconsistencies. He read the proofs with cautious attention, replied to my inquiries with patience and courtesy, and offered me full co-operation. Without his help, always given without stint, this book would have been much more imperfect that it now is. Needless to say, all the remaining imperfections and weaknesses must be attributed to me.

I am, indeed, grateful to my wife, Zarina, for letting me spend long hours on this work without asserting her legitimate claims on my time, for helping in the preparation of the manuscript, and for reading the proofs.

I should like to thank the librarians and staff of the following institutions for their courtesy and willing help when I was working on this book: the British Museum Reading Room, London; the British Museum Newspaper Depository, Colindale; the Institute of Commonwealth Studies, University of London; and the library of the University of Khartoum, Khartoum.

Grateful acknowledgement is made to Her Majesty's Stationery Office, London, for permission to reproduce the items here appearing as Documents No. 37 and 38.

*The University,*
*Khartoum,*
*January 1972* K. K. Aziz

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# Introduction

The All India Muslim Conference was the child of two political phenomena: the Nehru Report and the disunity among Muslims. The publication of the Report of the All Parties Conference created consternation among the Muslims. The Indian National Congress, supported as well as encouraged by the All India Hindu Mahasabha, had at last shown its hand, and what the Muslims saw in it was a complete and unconditional denial of all their cherished hopes. But they were divided among themselves and there was no central organization commanding the confidence of all shades of opinion, which could unite them against the rapacity of the Congress-Mahasabha leaders. The All India Muslim League had been, a little earlier, split into a left and a right wing by the appointment of the Simon Commission. The left wing, under the inspiration and guidance of Mohammad Ali Jinnah, tended to side with the Congress in boycotting the Commission; the right wing, led by Sir Muhammad Shafi, felt that Muslim interest lay in putting the case of the community before the Commission. This was a difference in principle and could not be removed by political bargaining. The resultant organizational weakness of the Muslims exaggerated the importance and the strength of the Nehru Report. It was in these circumstances that plans for an all-embracing Muslim body were contemplated and executed.

But to appreciate the impact of the Nehru Report on Muslim India we must retrace our way a little. The Hindu-Muslim

unity of the palmy Khilafat days had crumbled at Malabar in 1921 when the Moplahs had refused to distinguish between the Government and the Hindus. Since that day tension had been growing at a monstrous speed. Riots were frequent and severe. The toll of human life was heavy and dire. It seemed as if the whole of India would soon blow up in the heat of communal frenzy.

In an attempt to find a way out of this maze, Mr. Jinnah called a meeting of several prominent Muslims, most of whom were members of the central legislature, at Delhi in March 1927. At the end of these deliberations a set of proposals was evolved, commonly known as the Delhi Muslim Proposals, which was put forward as a possible basis for negotiations with the Congress. Muslims were advised to accept a settlement on their representation in the various legislatures in any future scheme of constitution if the following conditions were fulfilled: (1) Sind should be separated from the Bombay Presidency and constituted into a separate province. (2) Reforms should be introduced in the North-West Frontier Province and Baluchistan on the same footing as in other provinces. If this were done, Muslims were prepared to accept a joint electorate in 'all provinces so constituted', and were willing to make to Hindu minorities in Sind, Baluchistan and the North-West Frontier Province the same concessions that Hindu majorities in other provinces were prepared to make to Muslim minorities. (3) In the Punjab and Bengal the proportion of representation should be in accordance with the population. (4) In the central legislature Muslim representation should not be less than one-third, and 'that also by a mixed electorate'.

These proposals were published on 20 March, 1927. Three days later the Hindu members of the central legislature met and issued the following proposals in reply to the Muslim formula: (1) There should be joint electorates for all legislatures throughout India. (2) Seats should everywhere be reserved on the basis of population. (3) Specific provisions in the constitution should safeguard religious and quasi-religious rites. (4) The question of the rearrangement of provinces 'should be left open for the present'.

In May the All India Congress Committee passed a resolution which could be construed to mean a substantial accept-

ance of the Delhi Muslim Proposals. For a few months things were allowed to simmer, and it was in December that the Congress, meeting in its annual session at Madras, called for an all parties Conference 'to draft a Swaraj constitution for India'. It authorized its Working Committee to confer with similar committees to be appointed by other parties. The left wing of the Muslim League met in its annual session in Calcutta a few days later, and authorized the League Council to appoint a subcommittee to confer with the Working Committee of the Congress and such other organizations; but the subcommittee was asked to keep the Delhi proposals before it during its deliberations and negotiations. It was, however, made clear that separate electorates would be abandoned only on the condition that the proposals about Sind, Baluchistan and the North-West Frontier Province were accepted and implemented. Simultaneously, the right wing of the Muslim League, meeting in Lahore under Sir Muhammad Shafi, demanded the retention of separate electorates, the separation of Sind from Bombay, and the extension of reforms to Baluchistan and the North-West Frontier Province.

In pursuance of its Madras resolution the Congress issued invitations to all political groups to co-operate in preparing a 'Swaraj constitution' for India. The Jinnah League accepted this offer; Shafi's group decided to keep away. This 'All Parties Conference' first met at Delhi on 12 February, 1928, but serious differences of opinion and approach appeared between the Congress and the Hindu Mahasabha. When delegates failed to convert one another, a solution was found in the appointment of two subcommittees, one to inquire into the financial implications of the separation of Sind from Bombay, and the other to investigate the feasibility and suitability of the system of proportional representation for India. The Conference adjourned in March after asking the subcommittees to report their findings to it at Bombay in the following May.

When the Conference reassembled at Bombay it found, to its horror, that no progress at all had been made. Delegates persevered in their old opinions and prejudices; differences refused either to be resolved or to be wished away; and the spirit of compromise failed to emerge. The subcommittees had no reports to present. It appeared quite likely that the Conference

would end in mutual recrimination and political disorder. But it was saved from such ignominy by the efforts and enthusiasm of some members who, in a last bid to avoid a final and complete breakdown, initiated the appointment of a small committee charged with 'viewing the communal problem as a whole and its relation to the constitution'. The Committee consisted of Pandit Motilal Nehru (Chairman), Sir Tej Bahadur Sapru, Sir Ali Imam, G.R. Pradhan, Shuaib Qureshi, Subhas Chandra Bose, M.S. Aney, M.R. Jayakar, N.M. Joshi, and Sardar Mangal Singh. Pandit Jawaharlal Nehru, the Chairman's son, was appointed Secretary to the Committee.

From the Muslim point of view the composition of this body was far from representative. Mr. Shuaib Qureshi was an old Khilafatist who had at this time no support among the Muslim masses. Sir Ali Imam was a member of the Jinnah League and had, since the days of the Morley-Minto reforms, been an ardent advocate of a joint electorate. It would have been hard to choose two persons more divorced from contemporary political sentiment and more calculated to alienate Muslim opinion. Moreover, Sir Ali Imam, probably guaging the depth of Muslim feeling, attended only one meeting. Among the Hindus, Jayakar of the Hindu Mahasabha declined to serve. Joshi, a Labour leader, declared that he would attend only those meetings of the Committee in which the rights of labour would be discussed; actually he was not present at any sitting. The final Report was not signed by Mr. Jayakar and Mr. Joshi, and Shuaib Qureshi also refused to sign it.

The findings of this emaciated, unrepresentative and partial body are known as the Nehru Report.

The communal problem was the most difficult issue before the Committee, and the question of the electorate was the most controversial aspect of this matter. However, the Committee began by laying down *ex cathedra* that 'everybody knows that separate electorates are bad for the growth of a national spirit', that they benefit the majority community alone, that they breed and encourage extreme communalists, that they weaken still more the minority communities, and that they make the majority community wholly independent of the minority and its votes. Separate electorates 'must therefore be discarded completely as a condition precedent to any rational system of representation'.

It prescribed the reservation of seats for Muslim minorities, both in the central and provincial legislatures, in strict proportion to their population, with the right to contest additional seats for a fixed period of ten years.

The separation of Sind from Bombay was recommended, provided that after an inquiry it was found that the new province would be financially self-supporting.

This Report was made public in August 1928. To Muslims of all opinions it sounded the note of a deadly alarm. Everything that they had so far stood for and considered as fundamental to any future arrangement was rejected by this draft constitution uncompromisingly, utterly, categorically and decisively. Did the makers of the 'Swaraj constitution' underrate the bitterness of the Muslim reaction to their handiwork? Were they completely heedless of what Muslims thought of their recommendations? Did they deliberately and maliciously plan the destruction of the separate identity of the Muslim community? Was the Congress will swayed by the Hindu Mahasabha? What made a Liberal leader like Sir Tej Bahadur Sapru give his *imprimatur* to such an illiberal document? On what evidence, and from what motives, did the Congress accept the two Muslim members of the Committee as spokesmen for their community? Did the Congress and the Mahasabha in fact take this draft seriously? What happened after August 1928 provides a partial answer to some of these questions.

On 3 November, the All India Congress Committee accepted the Nehru Report *in toto* and extended its hearty congratulations to the Committee on their 'labours, their patriotism and their farsightedness'. On 31 December, Mr. Gandhi moved a resolution in the Congress Committee, and got it passed, warning the British Government that if they did not accept the Nehru constitution in its entirety by the end of 1929, the Congress would start a non-co-operation movement.

Thus, without waiting for public opinion to crystallize itself, without trying to convince the Report's opponents of its merits, without giving a thought to the feelings and sentiments of the minorities, the Congress advanced to stake its claims and to support them with nothing more ponderable than threats.

What was India, the India of non-Congressmen, saying about the Report? On 7 September, the Muslim members of

the Indian Legislative Assembly passed a resolution finding the Report impossible to accept. On 10 September, the Muslim members of the provincial Legislative Councils repeated this censure. In early October the All India Muslim Federation characterized it as highly injurious to Muslim interests and rejected it. The Aga Khan, in an article in *The Times*, had no hesitation in declaring that no serious-minded person could imagine the Muslims accepting such humiliating proposals. On 6 November, the United Provinces All Parties Muslim Conference condemned the Report and chastized and repudiated the Muslim members of the Committee. The Ali brothers, till so recently such ardent admirers of Gandhi and his politics, frowned upon the Report and rated the Congress for its intolerance and obduracy. The All India Khilafat Conference called it immoral and doctrinaire. The Jamiat-ul-Ulama-i-Hind now broke away from the Congress and joined the Muslim critics of the Report.

The Sikh member of the Nehru Committee, Sardar Mangal Singh, lost his secretaryship of the All India Sikh League within a week of the publication of the Report. The Indian Christians refused to have anything to do with the draft constitution, and the President of the All India Conference of Indian Christians, Rallia Ram, scouted the principles adopted by the Report in reference to the protection of minorities.

Thus it came about that the Nehru Report, far from uniting all parties and presenting a constitution acceptable to all India, pitted all the minorities against the Congress. The drafting committee had contained nine men: two Muslims, two Hindu Mahasbhaites, one Congressman, one non-Brahman, one Sikh, one Liberal, and one Labour. The two Muslims did not represent their community. One Hindu Mahasabhaite did not sign the Report. The Labour representative withdrew. The Sikhs disclaimed the participation of their spokesman. In the end the Report had the support of only one Congressman (Motilal Nehru), one Hindu Mahasabhaite (M.S. Aney), one non-Brahman (G.R. Pradhan), and one Liberal (Tej Bahadur Sapru). Yet it was made out by tireless Congress propagandists to be the demand of a united Indian nation which the British Parliament was imperiously asked to accept and implement within twelve months.

On 11 March 1929, the Nehru Report was discussed in the Indian Legislative Assembly, when Pandit Motilal Nehru presented it as India's 'national demand'. He said that the basic principle of the Report—the Dominion form of responsible government—was one which Indians of every shade of political opinion accepted. He declared that the Congress party would have nothing to do with the report of the Indian Statutory Commission when it appeared, or with anything that might be done on the basis of that report.

Mian Muhammad Shah Nawaz was the first among the Muslim members to answer the Pandit. All Indians, he said, wanted Dominion Status, but that did not mean that they also wanted the constitution concocted by the Nehru Committee. No form of Dominion Status which did not effectively safeguard Muslim rights and interests would be acceptable to Muslim India. He asked the House to wait for the report of the Statutory Commission before discussing what sort of Dominion Status really suited India. Maulvi Muhammad Yakub denied the Pandit's claim that the Report was supported by an overwhelming majority of Indians. He re-affirmed that Muslims had repeatedly and unequivocally repudiated the entire Report. He pointed out that even its basic recommendation for Dominion Status was challenged by those among the Congress who stood for independence. Mr. Jinnah was the next speaker to assail the Report and to give the lie to the Congress-inspired reports that the Muslim community had accepted it. From inside the Congress party in the legislature rose Maulvi Muhammad Shafee Daoodi, a Congress front bencher, to confirm the statements of Shah Nawaz, Yakub and Jinnah, and to controvert those of Nehru and his friends. The only Muslim member to lend a helping hand to the Congress was Mr. Sherwani, who still believed that Muslim opinion favoured the Report and asked the House to wait until this opinion in the country had expressed itself.

Jayakar, who had declined to serve on the drafting committee, now made one of the more effective speeches in support of the Report, and claimed that he could produce a Hindu-Muslim settlement within 24 hours if it were known that its terms would be accepted by the British Government. Pandit Madan Mohan Malaviyya, the leader of the Nationalist Party, and

Srinivasa Iyengar, the deputy leader of the Congress Party, were among those who made strong speeches in favour of adopting the Nehru constitution.

On 30 March, the Hindu Mahasabha, meeting in Surat, re-defined its position *vis-a-vis* the Nehru Report. It passed a resolution saying that since the Muslims had refused to accept the Report (the Mahasabha was better informed than the Congress), the Mahasabha was now going back to its original position, which was opposed to the grant of any special treatment to any community. Dr. Moonje issued a statement, in amplification of this resolution, making the extraordinary assertion that the Mahasabha had not yet seriously considered the Report because it had already been rejected by the Muslims. Now, therefore, the position was that of a *status quo ante* in which the Mahasabha was not prepared to concede anything to any minority. One of the parents of the Nehru Report had thrown it overboard. The other followed suit in December 1929 when, at its Lahore session, the Congress decided to abandon it and to father Independence instead. For all practical purposes, this marked the inglorious end of the Nehru Report; though, towards the end of 1931, when Gandhi was negotiating with the Aga Khan in London, it was once again taken out of the Congress escritoire, given a dusting and put before the Muslims as the sole basis on which the Hindus would talk to the Muslims. But by that time things had moved much farther and nobody, including Mr. Gandhi himself, took it seriously.

This is the story of the Nehru Report. Its only achievement, if it was that, was to have exposed to the full the intentions of the Congress with regard to the place of the Muslims in the future constitution of India. It showed how hollow was the Congress claim to speak for all Indians. It demonstrated the inability or the unwillingness, or both, of the Congress leadership to see that the real problem of India lay not in British-Indian adjustment but in Hindu-Muslim relations.

In another respect, however, the Nehru Report made a solid contribution to Indian politics. The unreasonable intransigence of the All Parties Conference which rejected the most moderate Muslim demands, and which later insisted on blazoning the Report as the Indian national demand, united the Muslims as nothing at that stage would have done. One result

was the coming together of the two wings of the All India Muslim League. Another was the final disillusionment of Jinnah and his irrevocable break with the Congress. Still another was the foundation of the All India Muslim Conference.

It is against this background that the career of the All India Muslim Conference should be studied.

The prime movers in this movement were Mian Sir Muhammad Shafi, the Muslim League leader from the Punjab; Fazal Ibrahim Rahmatoola, a prominent member of the Independent Party in the Indian Legislative Assembly; Sir Abdur Rahim Ghuznavi, one of the principal leaders of Bengal; Dr. Shafaat Ahmad Khan, a scholar, an historian, and a member of the United Provinces Legislative Council; Maulana Muhammad Shafee Daoodi, a Khilafatist from Patna; Haji Abdullah Haroon, a well-known businessman and philanthropist of Sind; Nawab Muhammad Ismail Khan, a nobleman from the United Provinces and a son of Shaifta the poet; and Sir Abdul Qayyum, a Pathan of repute and a respected leader of the North-West Frontier Province.

The only important figure who was neither among the initiators nor, later, among the participants was Jinnah. How do we explain his lack of interest? Perhaps his sense of constitutional propriety, already outraged by Sir Muhammad Shafi's claim to the presidentship of the All India Muslim League, refused to see in this proliferation of Muslim organizations a good omen for the unity of Muslim India. Perhaps his sense of pride was offended when his party was addressed as the 'Jinnah Section' of the Muslim League. Perhaps he feared that his association with the proposed Conference would imply the end of the Muslim League as a separate body. Perhaps he read in Sir Muhammad Shafi's enthusiastic support for the Conference the signs of a political intrigue of an inelegant kind. We do not know his motives, but he was the only influential and able Muslim leader who stood aside, though some of his supporters came to the Conference and took an important part in its deliberations.

It is significant that the All India Muslim Conference did not aspire to supplant the already existing Muslim organizations, but to co-ordinate them 'for the purpose of giving expression to Muslim opinion on questions affecting the Musalmans of

India'. It promised to do so 'without interfering with the special features which distinguish such organizations'. From the sources available to us, it is not clear whether the Conference was meant to be a permanent body, a sort of a transcendent platform, a supra-organization to which in some way other parties and groups would be affiliated, or whether it was intended to be a special apparatus invented to deal with a particular crisis.

One interesting aspect of the organization of the Conference was the important place it gave, among its constituent parts, to the elected Muslim members of the central and provincial legislatures. In fact, the Conference was brought into being by the initiative of this group of persons. This was a very prudent arrangement as it kept the Conference in constant touch with the corridors of power and with the Governments of India and the Provinces. For sometime the Aga Khan had been advocating the organizing of some such body, and he was of the view that this would be a central platform where representatives of all parties could meet and exchange notes and co-operate to the advantage of all. Unfortunately, no such legislators' organization could be founded on a permanent basis. But the idea abided and was used to fine effect by Jinnah when he called the All India Muslim League Legislators' Convention at Delhi in April 1946.

Three well-known and well-organized parties were represented in the Conference: the Central Khilafat Committee, the Jamiat-ul-Ulama-i-Hind, and the All India Muslim League (Lahore Section). Some prominent public figures, belonging to no party but wielding vast influence, were invited to participate, and several of them did so.

The choice of the Aga Khan as the President of the first Conference was a clever piece of political strategy. Considering the fact that London was the centre of Indian constitutional developments throughout the life of the Conference, who could be a more powerful fulcrum or better equipped to deal with British official circles than this prince-politician? He had friends in high places who could be useful in the game that was being played. He knew the English political mind well and could mould his tactics to achieve the maximum advantage. The organizers must also have known that to ask any other leader to preside over the first Conference was to invite bitter mutual

jealousies. The Aga Khan, the leader of the Simla Deputation, a former President of the All India Muslim League, a man above political intrigues and ambitions, with a valuable and sensitive line of communication with officialdom, was indeed the best choice. Another consideration must certainly have been the financial support expected from him. Even in those days of abundance, the establishing and running of a major all-India party required greater resources than the poor Muslim community could muster. There is some evidence to show that the Aga Khan was elected Permanent President of the Conference, though after the inaugural session of 1928 each annual or special gathering was presided over by someone else.

The list of persons invited to the first Conference reveals how wide the net was thrown; the list of actual participants shows how big the catch was. Khilafatists and ex-Congressmen, Muslim Leaguers and the Ulama, Qadianis and Independents, provincial headmen and all-India leaders, central legislators and provincial councillors, ministers and opposition figures, fiery nationalists and loyal subjects, proven rebels and decorated knights, famed agitators and strict constitutionalists—all were there with their experience and prudence, their youth and ardour, their plans and ambitions.

The Aga Khan's presidential address was exceedingly moderate in tone and a remarkable piece of sophisticated political talk. He did not shout slogans, he did not curse his opponents, he did not play with the emotions of his audience. In fact, to some of those present, it might have sounded too academic to provide political ammunition of the required velocity.

But in the Conference Subjects Committee, there was fought a battle royal between the constitutional and the radical schools of thought. Sir Muhammad Shafi valiantly led the former; the latter had the guidance of Maulana Muhammad Ali's experienced instinct. They had deep differences on the resolutions to be adopted and put before the open House. Discussion was long and tiring, sometimes genial and refreshing, sometimes grim and dreary, now provocative and vexatious, now glad and charitable. Only after hours of talk and more talk was compromise reached.

The first resolution passed at once became the national

charter by which the Muslims firmly stood throughout the next four years. The Simon Report, the Communal Award, the White Paper, the Report of the Joint Committee, the Government of India Bill, the Hindu terms of compromise—each was tested by this touchstone and accepted or refused. Muslim delegates to the Round Table Conference were repeatedly instructed never to lose sight of the final objectives laid down in the resolution, to impress them upon the minds of those who sat in authority, to plead them with all their might and not to approve anything that fell short of it by so much as a jot or tittle.

The second resolution took cognizance of the Muslim community's backwardness in social and economic fields and underlined the necessity of promoting education, introducing social reforms, encouraging trade and industry and establishing newspapers.

The documents reproduced below show that the Conference, throughout its career of less than seven years, took an interest in everything that concerned the Indian Muslims. Obviously its attention was primarily given to the making of the constitution and the long drawn-out negotiations and conferences which preceded it. But it did not ignore other problems facing the community, like the Muslim share in the public services, provincial executive councils, university governing bodies, local boards, high courts and other institutions; Muslim representation in central and provincial legislatures; the introduction of reforms in Sind, Baluchistan and the North-West Frontier Province; Muslim sufferings and losses in communal riots; the protection of Muslim personal law; and the advancement of Muslim education.

Outside British India, the Conference took careful note of the Muslim position in the native States, particularly in Hindu-ruled States like Alwar and Kashmir. On Kashmir affairs, it was specially active, partly because of the gravity of the situation and partly because several of its leaders from North India were members of the All India Kashmir Committee set up by Muslims to focus official and public attention on the barbarous treatment which the Maharaja was meting out to his Muslim subjects. The Palestine problem also aroused the Confrence's concern, as did the plight of the Indian population in South Africa. Afghanistan, and its relations with India, was another

subject to which it referred from time to time.

The representative character of the Conference has never been impugned. It is unique in modern Indian history that Muslim leaders of such diverse opinions, from such different backgrounds, and with such varied experience, forgathered so willingly and worked so closely. Muslim India would not have been so well represented at the Round Table Conference had the Muslim Conference not come into existence. The result was that while all other Indian delegates spoke for a section of their respective community or for one political group, the Muslim participants spoke as one, and so made their voice heard. Even Jinnah, who had refused to have to do anything with the Conference, did not dissent from the Muslim Delegation's joint stand. Gandhi alone refused to accept them as representative of Indian Muslims; but no one in London took his fantastic claim to speak for all India as anything more than a bad political joke.

But on one occasion the Conference did show utter incompetence. The witnesses that it sent, in association with the All India Muslim League, to the Joint Committee on Indian Constitutional Reform lacked political ability as well as argumentative skill. Five gentlemen appeared before the Committee to advance and defend the claims of the two Muslim organizations. Yusuf Ali led the party consisting of Sir Muhammad Yakub, H. S. Suhrawardy, Dr. Khalifa Shujauddin, and Haji Rashid Ahmad. Yusuf Ali's only political qualification was his presidentship of the Conference's special session held at Calcutta in December 1932. He was a member of the Indian Civil Service before leaving India to settle in England. He did not know much about Indian politics except what he might have picked up in his periodical visits to India. Sir Muhammad Yakub was the only experienced politician in the group, but even his friends did not credit him with exceptional sagacity or outstanding talent. Suhrawardy and Dr. Shujauddin were youthful provincial leaders with no national reputation or status, and anyway could only speak for their respective provinces. Nobody had ever heard of Haji Rashid Ahmad.

Those who read their long evidence before the Joint Committee, reproduced here in full, will agree that the Muslim case did not gain by their advocacy. They fumbled for arguments

they did not have all facts at their finger-tips, they were neither ready of wit nor rich in repartee. Sometimes they were tied up in knots, and Muslim delegates sitting on the Joint Committee rescued them from awkward situations.

It is true that several of the best Muslims sat on the Committee—the Aga Khan, Dr. Shafaat Ahmad Khan, Sir Zafarullah Khan, Sir Abdur Rahim, A. H. Ghuznavi—and were therefore not available as witnesses. But surely better equipped men could have been selected. It is incredible that the joint resources of the Muslim Conference and the Muslim League were unequal to this task. Jinnah could have been persuaded to go, and none could fight his brief with greater courage or wisdom. Sir Fazl-i-Husain was another capable and experienced man who should have been used. Sir Muhammad Iqbal and Sir Hasan Suhrawardy, though not political experts, were both men of great common sense and acute intelligence. Iqbal was also a former President of the Conference, and Hasan Suhrawardy a scholar of some repute.

It is difficult to look at the Muslim Conference as a normal political party. It had more of the nature of a national front than of an ordinary political group. It was broad-based enough to speak for several other organizations. Would it be legitimate to consider it as a confederation of parties? One could hardly call it a nationalist movement. Nor was it a permanent political party with a past, a present and a future. It was created to deal with a special crisis in the affairs of Muslim India, and gradually ceased to exist when the exigency passed away. It was a reaction, on the one hand, to the threat posed by the Nehru Report, and, on the other, to the perils of Muslim disunity. The Hindus were rampant; the Muslims were in disarray. The Conference united the Muslims in face of a grave danger, guided them with reasonable skill and circumspection, did what was its best in getting their claims accepted by the British Government, and then gracefully disappeared after its duty was done.

Of course, it is possible to criticize the Conference for its mistakes and to lay stress on its weaknesses. It may be said, for instance, that it was not a mass organization, as the Khilafat Conference had been. It never presented itself at the polls. It could send deputations and delegations, hold annual sessions and pass resolutions, but it did not and could not create that

impassioned response among the people which imparts character to a nationalist movement. Several of its leaders were eminent and revered men, constitutional minded, sane and moderately able, but few were men of the masses who could set the country on fire.

All this and much more could be said. But to assess the Conference by these standards is to judge it in terms which were alien to it. As was said before, it was neither a political party nor a nationalist movement. It was like a board of directors in which each director represented a sector of public opinion or a part of public influence, created to run a very large firm made up of varied interests but with common basic objectives. Its task was to co-ordinate the activities of its component elements, to iron out their differences, to tackle all problems in a co-operative manner, to speak with one voice and to save the Muslims of India from Hindu communal ambitions and British indifference and ignorance.

Perhaps one way of looking at the Conference in retrospect is to speculate what would have happened to the Muslims had it not been organized. The Muslim League was split into two on issues which were not only personal and ephemeral but also of principle. Jinnah and Sir Muhammad Shafi belonged to two different worlds which only a miracle could have bridged. It is true that Jinnah never entered the Conference, but many of his followers did, and he himself, at the Round Table Conference, gave tacit but full support to the demands prepared by the Muslim Conference. In the absence of the Conference, the two Muslim Leagues might have continued to quarrel and grumble, and thus weakened the community. The outstanding achievement of the Conference was that it saved the Muslims from a far from improbable organizational disaster. In face of Muslim disunity, the Viceroy might have acquiesced in sending a 'Nationalist' Muslim to the Round Table Conference. Dr. Ansari was anxious to go and Gandhi was vehemently backing his candidature. It was the united Muslim front of the Conference which alone averted the calamity of having one or two utterly unrepresentative Muslim Congressmen addressing the London parleys as putative spokesmen of Muslim India.

In brief, the All India Muslim Conference saved the Muslims from the Nehru Report, taught them the elementary but vital

lesson that in unity lies strength, and pleaded their case before the British and others with firmness of purpose, coolness of judgment and clarity of vision. Let it stand or fall by these achievements.

# The All India Muslim Conference: 1928-35
# A Documentary Record

### 1. Manifesto issued by some Muslim Legislators foreshadowing the establishment of the Conference

*Simla, 10 September 1928*

We, the undersigned Muslim members of the central and provincial legislatures, having given our best consideration to the decisions of the All Parties Conference on the Nehru Report, fully appreciate the labours of the authors of the Report in framing a constitution for India, but we are afraid that, in their anxiety to meet the challenge of Lord Birkenhead, the authors of the Report, as well as the Conference at Lucknow, have failed to realize the problem of the minorities in India and have omitted to provide safeguards for the protection of their interests, a principle which has been already fully recognized throughout the civilized world. We want to make it quite clear that no constitution will be acceptable to the Musalmans unless it provides effective and adequate protection of their interests. The Conference at Lucknow has not only set at naught the demands embodied at the annual sessions of the All India Muslim League held at Aligarh in 1925, and in Delhi in 1926, but even the Proposals of some Muslim leaders formulated at Delhi on the 20th March, 1927, which were adopted by the Indian National Congress at Madras.

Nawab Sir Zulfiqar Ali Khan, Sir Abdul Qadir, Mian Shah Nawaz, Sirdar Muhammad Nawaz Khan, Mian Abdul Haye, Syed Rajan Bukhsh, Abdullah Suhrawardy, A.H. Ghuznavi, Muhammad Rafiq, Haji Chaudhari Ismail Khan, Anwar-ul-Azim, Abdul Matin Chaudhari, Mahmood Suhrawardy, Maulana Muhammad Shafee Daoodi, Nawabzada Ashrafuddin, Badi-uz-Zaman, Sir Ibrahim Haroon Jafar, Fazal Ibrahim Rahimtoola, Seth Haji Abdullah Haroon, Muhammad Panah Dakhan, W.I. Bhutto, Maulvi Muhammad Yaqub, Nawab Muhammad Ismail Khan, Yamin Khan, Syed Murtaza, Abdul Latif Faruki, Sir Abdul Qayyum, Abdul Kadir Siddiqi, Raja Ghazanfar Ali, Haji Abdullah Haji Kasem, Kabiruddin Ahmad, Syed Husain Shah, Prince Akram Husain, Sir Umar Hayat Khan Tiwana, Major Muhammad Akbar Khan, Ali Bukhsh Mahmood Husain, Nawab Mehr Shah, Hon. Padshah, Ghulam Mustafa Chaudhari.

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published (by authority) by Hafizur Rahman, Aligarh, n.d., pp. 1-2.

## 2. Statement of Fazal Ibrahim Rahmatoola on the Manifesto

*Simla, 12 September 1928*

Just as the Simon Commission brought about unity in the various political bodies in India, the Nehru Committee's Report has brought about unity in different Muslim camps. The Statement (Manifesto) issued by the Muslim members of the Central Legislature should be an eye-opener to my Hindu brethren that if they choose to have Dominion Status, their methods should be radically changed. We have altogether 35 non-official Muslim members in the Legislative Assembly, out of whom three are nominated and 32 elected. Looking at the Manifesto, one finds that as many as 27 have signed and three will sign the Manifesto shortly. According to provinces, the number as regards elected members is as follows. As regards Madras, out of three two have signed, and Haji Abdullah Haji Kasem has been telegraphed and is expected to sign. As regards Bombay, out of the two one has signed and the other is Mr. Jinnah, who

is out of India, but who has not sent his approval to the Report which is a very significant thing. As regards Bengal, there are six, and all of them have signed. As regards Sind, there are three and all of them have signed. As regards the Punjab, there are seven out of whom six have signed, and the seventh is Raja Ghazanfar Ali Khan who is not in Simla, but might have signed if he was there. As regards Bihar and Orissa, there are three out of whom two have signed, and the third is Khan Bahadur Sarfraz Husain Khan, who has been telegraphed and is expected to sign. There is one in the Central Provinces, and he has signed. There is one in Assam, and he has also signed. There are six in the United Provinces, out of whom two have signed, and the third is expected to sign shortly.

Therefore, one finds that Bengal, Madras, Bihar and Orissa, the Punjab, Sind, Assam and the Central Provinces are unanimous on this Manifesto. As regards the United Provinces, three members who have not signed are Messrs. Yusuf Imam, Kidwai and Sherwani. All of them were present at the discussion throughout, but have so far refrained from signing. All these three belong to the Swarajist Party. They may issue a separate statement. All the three nominated Muslim members have also signed. The other four men of the Congress Party have signed, which is a very important thing and reveals the real dissatisfaction in the Muslim camp regarding the Report. In order to avoid any misunderstanding regarding the Manifesto of the Muslims, I may state that the Nehru Report has turned down the Delhi Proposals, which were made as a compromise to Hindu brethren for securing Dominion Status.

Therefore, if there is any delay in reaching the goal due to this Manifesto, the blame is on the shoulders of the Hindus mainly. It has been practically decided to hold an All India Muslim Conference, in November in Delhi, of the Muslim representatives of different Muslim organizations to draft a report for Dominion Status with necessary safeguards to [*sic.*] the Muslims. H.H. the Aga Khan will be asked to preside.

As regards the Council of State members, their sittings begin today. Five of them have already signed, and the rest are expected to sign.

I would request all the Muslim representatives of all the

provinces to meet together and issue a similar statement, so that a united front can be shown unequivocally.

The Manifesto as published is signed by 28 members, including two Council of State members, one Member, Legislative Council of the Punjab, who happened to be present at the meeting. The signatures of other members are pouring in, and they will be communicated to the press shortly.[1]

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published (by authority) by Hafizur Rahman, Aligarh, n.d., pp. 2-3.

### 3. Correspondence between the Conference Secretary and the All India Muslim League (Calcutta Section)

*November 1928*

*Secretary, All India Muslim Conference, to Secretary, All India Muslim League (Jinnah Section)*

*16 November 1928*

As per resolution of the conveners of the All India Muslim Conference, I beg to request you to send to me the names and addresses of 20 members to represent your League at the Conference which is to be held on December 31 at Delhi to enable me to issue the necessary invitations to them. Please include the names of those who will represent your provincial organizations. I may add for your information that all members of the Council of State, Legislative Assembly and all Provincial Legislative Councils are being sent direct invitations as such members. Kindly send your reply at an early date.

*Secretary, All India Muslim Conference, to M. A. Jinnah*

On behalf of the conveners I hereby invite you to attend the All India Muslim Conference which will be held in Delhi under the presidentship of His Highness the Aga Khan on Monday, 31st December, 1928, at 11 a.m. in the Fatehpuri Hall, Chandni Chowk, to consider the Nehru Report. Kindly send your reply to Hakim Muhammad Jamil Khan, Chairman of the Reception Committee, who is in charge of all arrangements. I need not add that this is a critical juncture in the history of the Musal-

[1] The final number of signatories comes to 39—see Document 1.

mans, and it is the duty of every Muslim to contribute towards reaching decisions so vitally affecting the interests of his community. I sincerely trust that you will make every endeavour to attend even at a little personal inconvenience. I enclose herewith a card of admission, which may be sent back in case you are unable to attend. Please note that it is not transferable.

*M. A. Jinnah to the Secretary, All India Muslim Conference*
*25 September 1928*

I am in receipt of your printed letter without any date and also your similar letter to the Secretary of the All India Muslim League, which is forwarded to me to deal with it [*sic.*] as the President of the All India Muslim League. In the first place, the representatives of the Muslim League can only be appointed by the All India Muslim League, which cannot be done until the session of the League which is fixed for the 26th, 27th and 28th December takes place; but before you expect the All India Muslim League or me to participate in the proposed Conference, you will admit that we should have some definite idea as to what procedure the conveners propose to adopt and how will a decision be taken in the event of there being a difference—and particularly the method of voting in case of difference. Unless these matters are placed before me in detail, it is not possible to consider the exact usefulness of the proposed Conference.

Further, your letter says vaguely that the Conference will consider the Nehru Report. I should like to know whether the conveners of the proposed Conference have formulated any definite proposals with regard to the Nehru Report which will be placed before the Conference for consideration. I would like to draw the attention of the conveners that [*sic.*] in any case the date fixed, *viz.*, 31st December, is not likely to secure the attendance of a large body of men who will be in Calcutta during the Christmas week. My experience is that after the 30th and 31st of December, it is not possible for people to continue, as they have to return to their respective provinces to attend to their respective business, as holidays then terminate; and, therefore, the date is most inconvenient.

In conclusion, I want to make it clear that I do not accept that there is any reason or occasion, at any rate at present, for a move such as was thought of by the conveners in August last,

and I think that everybody should rally round the All India Muslim League.

Please let me have an early reply as regards these matters which I have brought to your notice, so as to enable me to place your letter with full details before the next session of the All India Muslim League for their decision.

*Secretary, All India Muslim Conference, to M. A. Jinnah*
*Bombay, 29 November 1928*

I am in receipt of your letter of the 25th instant in reply to my two letters—one inviting you to the All India Muslim Conference as a member of the Legislative Assembly and the other addressed to the Secretary of the All India Muslim League to send to me the names of 20 representatives of the League for this Conference. You have asked for information on certain points in connection with the Conference, which I have much pleasure in supplying to you.

The conveners of the Conference have decided to invite about 600 representatives belonging to all schools of thought. The composition of the Conference will be as follows:

All non-official Muslim members of all Provincial Councils and the Central Legislature.

Twenty Muslim representatives from each of the following organizations:

(a) The All India Muslim League, Calcutta.
(b) The All India Muslim League, Lahore.
(c) The All India Khilafat Conference.
(d) The All India Jamiat-ul-Ulama Conference [*sic.*].

Twenty Muslim representatives from each of the provinces of India.

In addition to these, other leading Musalmans such as Dr. Ansari, Sir Ali Imam, Mr. Hasan Imam, Mr. Yakub Hason [*sic.*] and Maulana Abul Kalam Azad have also been invited.

As regards the procedure to be adopted at the Conference, I am quoting for your information an extract from a telegram which I have received from H. H. Sir Aga Khan, the President-elect of the Conference, which reads:

'My object that general consensus of opinion amongst Muslims should lead to national policy which can only come

by give and take of all sections of community; please make it as catholic a body as possible.'

This will give you an idea as to the object with which the Conference has been convened. Every effort will be made to reconcile differences of opinion on the principle of give and take, and it is hoped that the question of voting will not arise. It is universally recognized that in the interests of the political progress of India, it is essentially necessary that Hindu-Muslim unity should materialize in reality. This is only possible if representatives of the Muslim community as a whole should meet together and formulate their proposals. The Conference has been convened with the object of reaching decisions for promoting real interests of India as a whole, of which the Muslim community does not form an unimportant sector. The platform thus provided will, it is believed, enable all shades of opinion to meet on a common basis and reach decisions in a spirit of give and take.

In answer to your question whether the conveners of the proposed Conference have formed definite proposals with regard to the Nehru Report to be placed before the Conference for consideration, I have to inform you that this has not been done and it is not proposed to do so. You are aware that widely different views are held by important sections of the Muslim community in regard to this Report. The conveners do not propose to act in any partisan spirit by committing themselves to any definite line of action.

Their earnest desire is that all Muslim representatives should meet to examine the problem from all its aspects, and by free and frank exchange of views, to declare in clear terms the opinion held by the Muslim community as a whole on the subject.

As regards the date of the proposed Conference, the conveners fixed the 31st December in deference to the wishes of H.H. Sir Aga Khan who, as you know, will preside. This is a critical juncture in the history of the Musalmans and I have in my circular letter already appealed to them to attend even at a little sacrifice.

I cannot agree with your view that there is at present no need of this Conference. The All India Muslim League, however important, is only one of the political organizations which will consider the proposals. There are two groups, of leading Muslims,

each of whom claims to speak in the name of the All India Muslim League. This Conference is organized with the intention of bringing together on one platform all political organizations in the country and representative Muslims in order to formulate, after mature deliberations, the considered Muslim views on the problem now facing the country.

In conclusion I may say that in my opinion a Conference organized on the lines explained is more likely to be able to deliver the goods than any individual organization, however important.

Source:— *Report of the All India Muslim Conference held at Delhi on 31st December, 1928 and 1st January, 1929*, compiled and published (by authority) by Hafizur Rahman, Aligarh, n.d., pp. x-xiii.

## 4. Organization of the Conference

### Objects

The Objects of the Conference are:—

(a) To safeguard and promote the rights and interests of the Indian Musalmans at all stages of constitutional advance towards full responsible government in India.

(b) To organize the Indian Musalmans and to co-ordinate the existing Muslim Organizations having an All-India character for the purpose of giving expression to Muslim opinion on questions affecting the Musalmans of India, without interfering with the special features which distinguish such organizations.

### Constitution Parts

(i) The elected Muslim Members of the Central and Provincial Legislatures, who subscribe to the National Muslim Creed.

(ii) Twenty Members each of:

(a) The Central Khilafat Committee;

(b) The Jamiat-ul-Ulama-i-Hind; and

(c) The All India Muslim League (Lahore Section), elected respectively by these organizations who subscribe to the Muslim National Creed; and

(iii) The other prominent Indian Musalmans who have subscribed to the National Muslim Creed and been elected by the Working Committee.

### Office Bearers

President : His Highness Sir Aga Khan

Secretaries : Nawab Muhammad Ismail Khan, M.L.A.
Fazal Ibrahim Rahimtoola, M.L.A.

Financial Secretary : Khwaja Ghulam-us-Sibtain

Working Secretary : Muhammad Shafee Daoodi, M.L.A.

Members of Working Committee :

1. Mian Sir Muhammad Shafi
2. Dr. Sir Muhammad Iqbal, M.L.C. (Panjab)
3. Hon'ble Malik Feroz Khan Noon, Minister of the Punjab Government
4. Maulana Muhammad Ali, President-elect All India Muslim Conference, 1930
5. Maulana Mufti Muhammad Kifayatullah, President, Jamiat-ul-Ulama-i-Hind
6. Hakim Jamil Khan, Chairman, Reception Committee of All-India Muslim Conference, Delhi, 1929
7. Maulana Shaukat Ali, Secretary, Central Khilafat Committee
8. Sir Ibrahim Rahimtoola
9. Seth Haji Abdullah Haroon, M.L.A.
10. Maulana Hasrat Mohani
11. Hon'ble Muhammad Yusuf, Minister of the United Provinces Government
12. The Hon'ble Maulvi Muhammad Yaqub, President, Legislative Assembly
13. Nawab Habibullah of Dacca
14. Mr. A. H. Ghuznavi, M.L.A.
15. Mr. Husain Shaheed Suhrawardy, M.L.A.
16. Maulana Syed Murtaza Saheb Bahadur, M.L.A., Secretary, Central Khilafat Committee
17. Mr. Syed Abdul Aziz, M.L.C., Bar-at-Law

18. Mr. Abdul Qadir Siddiqi, M.L.A
19. Nawab Sahibzada Sir Abdul Qayyum, M.L.A.

Source: —*The Main Resolutions of the All India Muslim Conference*, published by Muhammad Shafee Daoodi, Patna (Bihar and Orissa), Working Secretary, All India Muslim Conference, n.d. (? 1930) (printed at the Army Press, Simla), pp. 1-2.

## 5. List of Persons invited to attend the First All India Muslim Conference

*Delhi, December 1928*

*Members of the Council of State*

The Honourable Nawab Muhammad Hayat Khan, The Honourable Prince Afsar-ul-Mulk, Mirza Muhammad Akram Husain, The Honourable Colonel Nawab Sir Umar Hayat Khan Tiwana, The Honourable Major Nawab Muhammad Akbar Khan of Hoti, The Honourable Sir Ebrahim H. Jaffer, The Honourable Ali Bukhsh Muhammad Husain, The Honourable Khan Bahadur Maulvi Abdul Karim, The Honourable Mahmood Suhrawardy, The Honourable Nawab Sahibzada Syed Muhammad Meher Shah, The Honourable Syed Muhammad Padshah, The Honourable Nawab Sir Muhammad Muzzammil Ullah Khan of Bikampur, The Honourable Maharaja Sir Muhammad Ali Muhammad Khan of Mahmudabad, The Honourable Shah Muhammad Zubair, The Honourable Maulvi Ghulam Mustafa Choudhry, The Honourable Raja Nawab Ali Khan of Akbarpur.

*Members of the Indian Legislative Assembly*

Muhammad Yamin Khan (Meerut), Nawab Sir Sahibzada Abdul Qaiyum (Peshawar), Maulvi Syed Murtaza (Trichinopoly), Seth Haji Abdullah Haroon (Karachi), Wadero Wahidbukhsh Ilahibukhsh Bhutto (Larkana), A. H. Ghuznavi (Calcutta), Haji Chaudhry Muhammad Ismail Khan (Barisal), K. Ahmed (Calcutta), Maulvi Muhammad Yakub (Moradabad), Yusuf Imam [*sic.*] (Mirzapur), Nawab Sir Zulfiqar Ali Khan (Lahore), Raja Ghazanfar Ali Khan (Jhelum), Khan Bahadur Nawabzada

Syed Ashrafuddin Ahmad (Patna), Maulvi Muhammad Abdul Latif Sahib Bahadur Farookhi (Royapettah, Madras), Khan Bahadur Haji Abdullah Haji Kassim (Udipi, Madras), Wadero Muhammad Panah Ghulam Kadir Khan Dakhan (Sukkur), Muhammad Rafique (Calcutta), Dr. A. Suhrawardy (Calcutta), Muhammad Anwarul Azim (Chittagong), Nawab Muhammad Ismail Khan (Meerut), Rafi Ahmad Kidwai (Allahabad), Mian Abdul Haye (Ludhiana), Mian Muhammad Shah Nawaz (Lahore), Sayyed Husain Shah (Chiniot), Khan Bahadur Makhdum Syed Rajan Bukhsh Shah (Multan), Sirdar Muhammad Nawaz Khan (Attock), Khan Bahadur Sarfraz Hosain Khan (Patna), Maulvi Muhammad Shafee Daoodi (Bankipore), Abdul Qadir Siddiqui (Burhanpur), Maulvi Abdul Matin Chaudhry (Sylhet), Fazal Ibrahim Rahmatullah (Bombay), Muhammad Ali Jinnah (Bombay), Tasadduq Ahmed Khan Sherwani, Dr. L. K. Hyder, Maulvi Badiuz Zaman.

*Members of the Bombay Legislative Council*

Khan Saheb Abdul Latif Haji Hajrat (Sholapur), Jan Muhammad Khan Wali Muhammad Khan Bhurgri (Hyderabad, Sind), Khan Bahadur Sher Muhammad Khan Karam Khan Bijarani (Jacobabad, Sind), Dawood Khan Salehbhoy (Bombay), Khan Bahadur Ghulam Nabi Shah Moujali Shah (Mirpurkhas), Khan Saheb Ghulam Muhammad Abdullah Khan Isran (Larkana), Khan Bahadur Haji Imam Bukhsh Ghulam Rasul Khan Jatoi (Nawabshah), Muhammad Ayub Shah Muhammad Khuro (Larkana), Khan Saheb Alibhai Muhammad Bhai Mansuri (Ahmedabad), Hoosenally Rahimtoola (Bombay), Shaikh Abdul Aziz Abdul Latif (Dhulia, West Khandesh), Syed Munawwar (Bombay), Hussainbhoy Abdullahbhoy Lalljee (Bombay), Khan Saheb Allahbukhsh wald Haji Muhammad (Shikarpur), Khan Bahadur Shah Nawaz Khan Ghulam Murtaza Khan Bhutto (Larkana), Sirdar Mahboobali Khan Muhammad Akbarkhan (Hubli), Ghulam Haider Shah wald Sahibdino Shah (Hyderabad, Sind), Haji Mir Muhammad Baloch, Khan Bahadur Jan Muhammad Khan wald Shah Pasandkhan (Shikarpur), Haji Ibrahim Haji Muhammad Jitekar (Bombay), Khan Saheb Riaz Fazal Muhammad wald Khan Bahadur Haji Laghari (Karachi), Noor Muhammad (Hyderabad, Sind), Syed Muhammad Kamil Shah Kabul Muhammad Shah (Tando Muhammad Khan), Syed

Miran Muhammad Shah (Hyderabad, Sind), Ghulam Ahmed Dagumyia Wasif (Melagaon), Divanshah Abassaheb Janvekar (Bijapur).

*Members of the Bengal Legislative Council*

Maulvi Latafat Husain (Calcutta), Sir Abdur Rahim (Calcutta), Abdool Razak Haji Abdool Suttar (Calcutta), Ghulam Husain Shah (Calcutta), Maulvi Abul Kassim (Burdwan), A.F.M. Abdur Rahman (Basirhat), Khan Bahadur Maulvi Ekramul Huq (Berhampore), Maulvi Syed Nausher Ali (Calcutta), A.K. Fazlul Huq (Barisal), Maulvi Azizur Rahman (Nilakhya), Syed Muhammad Atiqullah (Haibatnagar), Maulvi Tamizuddin Khan (Faridpur), Maulvi Khorshid Alam Choudhry (Barisal), Khwaja Nazimuddin (Dacca), Khan Saheb Abdus Sattar (Chittagong), Maulvi Asimuddin Ahmed (Tippera), Maulvi Abdul Gofran (Noakhali), Maulvi Kader Bukhsh (Dinajpur), Kazi Emdadul Huq (Rangpur), Khan Saheb Maulvi Muazzam Ali Khan (Pabna), A.F. Rahman (Jalpaiguri), H.S. Suhrawardy (Calcutta), Maulvi Muhammad Sulaiman (Calcutta), Nawab Khwaja Habibullah (Dacca), Maulvi Abdul Karim (Dakhin Gobindpur), Khan Bahadur Maulvi Azizul Huq (Nadia), Maulvi Syed Abdur Rauf (Jessore), Maulvi Shamsur Rahman (Khulna), Razaur Rahman Khan (Culcutta), Sir Abdul Karim Ghuznavi (Calcutta), Khan Bahadur Maulvi Muhammad Ismail (Mymensingh), Maulvi Golam Mawla Choudhry (Faridpur), Maulvi Syed Muhammad Afzal (Bakarganj), Khan Bahadur Maulvi Syed Maqbul Husain (Chittagong), Khan Bahadur K.G.M. Farooqi (Tippera), Maulvi Muhammad Sadeque (Dacca), Ashraf Ali Khan Choudhry (Calcutta), Maulvi Kasimuddin Ahmed (Rangpur), Altaf Ali (Bogra).

*Members of the Punjab Legislative Council*

Khan Bahadur Sir Abdul Qadir (Lahore), Mian Ahmed Yar Khan Daultana (Multan), Chaudhri Ali Muhammad (Gujranwala), Shaikh Faiz Muhammad (Dera Ghazi Khan), Firozuddin Khan Rana (Lyallpur), Khan Bahadur Khan Wagha (Sheikhupura), Syed Mubarak Ali Shah (Jhang), Chaudhri Muhammad Abdur Rahman Khan (Jullundher), Khan Bahadur Muhammad Amin Khan (Attock), Syed Muhammad Husain (Montgomery), Dr. Sir Muhammad Iqbal (Lahore), Syed

Makhdumzada Muhammad Raza Shah Gilani (Multan), Khan Saheb Muhammad Saif Ullah Khan (Mianwali), Maulvi Sir Rahim Bukhsh (Karnal), Rai Shahadat Khan (Lyallpur), Major Malik Nawab Talib Mehdi Khan (Jhelum), Chaudhri Yasin Khan (Gurgaon), Chaudhri Afzal Huq (Hoshiarpur), Pir Akbar Ali (Firozepore), Din Muhammad (Gujranwala), Khan Bahadur Fazal Ali Chaudhri (Gujerat), Sardar Habibullah (Lahore), Maqbool Mahmood (Amritsar), Khan Muhammad Abdullah Khan (Muzaffargarh), Dr. Shaikh Muhammad Alam (Lahore), Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur), Khan Bahadur Muhammad Jamal Khan Leghari (Dera Ismail Khan), Shaikh Muhammad Sadiq (Amritsar), Risaldar Bahadur Nur Khan (Rawalpindi), Mian Saadullah Khan (Samundri), Sardar Sikandar Hayat Khan (Attock), Chaudhri Umar Hayat (Shahpur), Chaudhri Zafarullah Khan (Lahore).

*Members of the Madras Legislative Council*

K. Abdul Hye Sahib Bahadur (Madras), Munshi Abdul Wahab Sahib Bahadur (Nidadavole), Abdul Hamid Khan Sahib Bahadur (Madras), Khan Bahadur Khalifullah Sahib Bahadur (Trichinopoly), Muhammad Meera Ravuttar Bahadur (Negapatam), Nattam Dubash Kadir Shah Syed Ibrahim Sahib Bahadur (Ramnad), Khan Bahadur Abdur Razak Sahib Bahadur (Madras), Basheer Ahmed Syed Sahib Bahadur (Madras), Muhammad Khadir Mohidin Sahib Bahadur (Nellore), Muhammad Schamnad Sahib Bahadur (South Canara District), T.M. Moidoo Sahib Bahadur (Malabar).

*Members of the Central Provinces Legislative Council*

Majiduddin Ahmed (Saugor), Syed Hifazat Ali (Khandwa), Syed Mobinur Rahman (Akola), Khan Bahadur Mirza Rahman Beg (Akola), Syed Vakil Ahmed Ravi (Raipur), Khan Sahib Syed Yasin Syed (Hinganghat), Muhammad Sharfuddin (Amraoti).

*Members of the Bihar and Orissa Legislative Council*

Maulvi Saiyid Mubarak Ali (Saran), Saiyid Abdul Aziz (Patna), Khan Bahadur Syed Muhammad Husain (Bankipore), Khan Bahadur Abdul Wahab Khan (Monghyr), Maulvi Saiyid

Muhammad Nurul Huda (Cuttack), Khan Bahadur Muhammad Jan (Champaran), Maulvi Abdul Hamid Khan (Darbangha), Haji Muhammad Bux Chaudhri (Purnea), Khan Bahadur Saiyid M. Naim (Patna), Saiyid Muhammad Athar Husain (Patna), Khan Bahadur Shah M. Yahya (Monghyr), Chaudhri Muhammad Nazirul Hasan (Monghyr), Saiyid Moin-ud-Din Mirza (Purnea), Maulvi Muhammad Ishaque (Sitamarhi), Maulvi Abdul Ghani (Saran), Qazi Ahmed Husain (Gaya).

*Members of the Assam Legislative Council*

Maulvi Arzan Ali Mazumdar (Silchar), The Honourable Maulvi Abdul Hamid (Sylhet), Maulvi Abdul Hamid Chaudhri (Sylhet), Maulvi Munawwarali (Sunamganj), Khan Bahadur Haji Muhammad Bakht Muzamdar (Sylhet), Maulvi Syed Samiur Rahman (Sylhet), Maulvi Mahmud Ali (Karimganj), Khan Saheb Maulvi Muhammad Abdul Latif (Goalpara), Mizanur Rahman (Goalpara), The Honourable Saiyid Muhammad Saadullah (Shillong), Maulvi Karamat Ali (Jorhat), Maulvi Ali Hyder Khan (South Sylhet).

*Members of the United Provinces Legislative Council*

Zahur Ahmad (Allahabad), Muhammad Abdul Bari (Meerut), Saiyid Tufail Ahmed (Saharanpur), Nawab Muhammad Jamshed Ali Khan (Meerut), Hafiz Muhammad Ibrahim (Bijnor), Shaikh Abdullah (Aligarh), Khan Bahadur Hafiz Hidayat Husain (Cawnpore), Khan Bahadur Muhammad Ismail (Gorakhpur), Khan Bahadur Shaikh Ghulam Husain (Basti), Khan Bahadur Saiyid Jafer Husain (Moradabad), Khan Bahadur Shaikh Saiyid Muhammad *alias* Maiku Mian (Budaun), Shaikh Muhammad Habibullah (Sitapur), Raja Saiyid Ahmed Ali Khan Alvi (Lucknow), Mirza Muhammad Sajjad Ali Khan (Lucknow), Khan Sahib Haji Abdul Qayyum (Cawnpore), Maulvi Zahuruddin (Bareilly), Khan Bahadur Shaikh Ziaul Huq (Deoband), Nawabzada Muhammad Liaquat Ali Khan (Karnal), Khan Bahadur Nawabzada Abdus Sami Khan (Aligarh), Khan Bahadur Maulvi Muhammad Obaidur Rahman Khan (Aligarh), Maulvi Saiyid Habibullah (Jalaun), The Honourable Nawab Muhammad Yusuf (Lucknow), Khan Bahadur Shah Badre Alam (Ghazipur), Dr. Shafaat Ahmed Khan (Allahabad), Khan Bahadur Maulvi Muhammad Fazlur Rahman

Khan (Shahjahanpur), Khan Bahadur Maulvi Fasihuddin (Budaun), Khwaja Khalil Ahmed (Bahraich), Matinuddin (Bara Banki), Muhammad Habib (Aligarh), Khan Bahadur Masudul Hasan (Moradabad).

*Muslim Leaders (General)*

Sir Ali Imam (Patna), Hasan Imam (Patna), Maulana Abul Kalam Azad (Calcutta), Seth Yakub Hasan (Madras), Sir Sultan Ahmed (Patna), Dr. Ziauddin Ahmed (Aligarh), Dr. M.A. Ansari (Delhi), S. A. Brelvi (Bombay).

*Representatives of the Central Khilafat Committee (Bombay)*

Maulana Muhammad Ali, Maulana Shaukat Ali, Maulana Abdul Majid Badauni, Maulana Abdul Majid Darayabadi, Haji Musa Khan of Aligarh, Begum Muhammad Ali, Maulana Azad Sobhani, Maulana Badrul Hasan Jalali, Maulvi Muhammad Jafri, Syed Lal Badshah, Maulvi Gulsher Khan, Syed Rauf Pasha of Madras, Hafiz Muhammad Usman of Aligarh, Shaikh Abdul Majeed, Dr. Maghfur Ahmed Bihari, Seth Hashim Abdur Rahman of Calcutta, Khwaja Ghiasuddin of Calcutta, Shaikh Elahi Bukhsh of Muzaffarpur, Muhammad Siddiqui of Muzaffarpur, Maulana Abdul Mohasin Muhammad Sajjad.

*Representatives of the Jamiat-ul-Ulama-i-Hind (Delhi)*

Maulana Mufti Muhammad Kifayatullah, Maulana Ahmed Said, Maulvi Umar Daraz Beg, Maulana Abdul Halim Siddiqui, Maulana Husain Ahmed Madani, Maulana Abdul Mohasin Muhammad Sajjad, Maulvi Abdus Samad Rahmani, Maulvi Muniruzzaman Khan Islamabadi, Maulvi Shaiq Ahmed Usmani, Maulvi Sakhawat-ul-Ambia, Sahibzada Fazl Ahmed Samdani, Maulana Ahmed Ali, Maulana Habibur Rahman, Maulvi Muhammad Shafi Ansari, Maulvi Abul Zia Riazunnur, Maulana Moinuddin, Maulana Muhammad Fazlullah, Maulvi Hakim Muhammad Ibrahim, Maulvi Muhammad Yasin, Maulvi Mubarak Husain.

*Representatives of the All India Muslim League (Lahore)*

Maulvi Mahbub Alam, Maulvi Ghulam Mohayuddin, Shaikh Azimullah, Syed Habib, Mian Amiruddin, Syed Mohsin Shah, Chaudhri Abdul Ghani, Mian Muhammad Rafi, Khan Sahib Mian Haji Nawaz, Khan Saheb Khwaja Gul Muhammad,

Shaikh Hafizullah, M. Abdul Aziz, Mir Ghulam Bhik Nairang, Mian Abdul Aziz, Shaikh Muhammad Bukhsh, Qazi Nazir Ahmed, Mian Hisamuddin, Sir Mian Muhammad Shafi, Dr. Khalifa Shujauddin, Ghulam Rasul Mehr.

*Provincial Leaders (Miscellaneous)*
*Delhi*

Hakim Muhammad Jamil Khan, Khan Bahadur Nawab Shaikh Waheeduddin, Nawab Haji Muhammad Fariduddin, Maulana Abdul Majid Badayuni, Khwaja Ghulam Sibtain, Haji Abdul Ghani, Aminuddin, Maulana Muhammad Sahib Junagarhi, Syed Raza Mirza Saheb, Hafiz Muhammad Siddique Multani, Shamsul Ulama Maulana Syed Ahmed, Nawab Abul Hasan Khan, Maulana Mazheruddin, Khan Sahib Master Muhammad Fazluddin, Mirza Ejaz Husain, Rashiduddin, Shaikh Muhammad Siddiq, Babu Ejaz Husain, Khan Sahib Haji Muhammad Yusuf Paeenwaley, Hakim Amjad Ali.

*Bihar and Orissa*

Khan Bahadur Nawab Syed Muhammad Ismail, Maulvi Najmul Huda, Maulvi Noor Muhammad, Maulvi Shah Muhammad Ameer, Maulvi Syed Abul Fareh, Maulvi Ghulam Muhammad, Maulvi Syed Manzar Ali, Muhammad Shafi, Maulvi Manzur Ahsan Ejazi, Maulvi Muzaffar Husain, Maulvi Muhammad Ismail, Maulvi Syed Swaleh Husain, Maulvi Syed Masood Ahmed, Maulvi Latifur Rahman, Maulvi Abdul Bari Muhammad Saqi, Maulvi Hakim Khalil Ahmed, Dr. Syed Mahmud, Maulvi Syed Shah Abdul Majeed, Maulvi Muhammad Sahib, Muhammad Shafi.

*The United Provinces*

Maulana Hasrat Mohani, Moshir Hosain Kidwai, Maulana Syed Sulaiman Nadvi, Khan Bahadur Nawab Mehdi Hasan Rizvi, Haji Musa Khan, Maulana Kutbuddin Abdul Wali, Dr. Abdul Karim, Begum Hasrat Mohani, Maulana Azad Sobhani, Syed Bakir Ali, Rao Abdul Hameed Khan, Bhaiya Haji Rashiduddin, Maulana Waleyet Husain, Amir Hasan Khan, Sardar Ali Sabri, Masudur Rahman, Maulana Mufti Nisar Ahmed, Muhammad Bashir, Haji Abdul Rashid, Khwaja Abdus Salam.

*Assam*

Sir Syed Saadullah, Maulvi Faiz Nur Ali, Maulvi Karamat Ali, Khan Saheb Nuruddin, Tayyabullah, Tafazzul Hosain Hazarika, Dewan Amir Ali, Khan Saheb Rashid Ali Laskar, Maulvi Mazaraf Ali, Muhammad Abdullah, Sirajuddin Chaudhri, The Honourable Maulvi Abdul Hamid, Mujammil Ali, Sakhawat-ul-Ambia, S.A.T. Abdul Wasey, Maulvi Asaduddin Chaudhri, Muhammad Yusuf, Nurul Hosain, Munawwar Ali, Maulvi Abdul Musabbir.

*The Punjab*

Nawab Ibrahim Ali Khan, Nawab Liaquat Ali Khan, Khan Bahadur Abdul Ghani, Qazi Mahboob Alam, Mufti Muhammad Sadiq, Ghulam Rasul Mehr, Chaudhri Muhammad Fateh, Khan Ihsan Ali Khan, Nawab Ahmed Yar Khan Daultana, Mian Muhammad Sharif, Nawab Sajjad Ali Khan, Nawab Umardaraz Ali Khan, Mian Abdul Haye, Mirza Bashiruddin Mahmud Ahmed, Abdul Majid Salik, Chaudhri Din Muhammad, Sahibzada Rashid Ali Khan, Dr. Khalifa Shujauddin, Maulvi Syed Hamid Ali, Syed Muttalabi Faridabadi.

*North-West Frontier Province*

Khan Ghulam Rabbani Khan, Khan Abdul Qaiyum Khan, Khan Muhammad Sarwar Khan, Khan Sahib Qazi Mir Ahmed Khan, Qazi Muhammad Aslam Khan, Sardar Muhammad Aurungzeb Khan, Khan Muhammad Ibrahim Khan, Syed Qasim Shah, Khan Sultan Muhammad Khan, Khan Fateh Muhammad Khan, Nawabzada Azizullah Khan, Syed Muhammad Ashraf, Qazi Ghulam Mohayuddin, Lutfullah Khan, Muhammad Jan Khan, Khan Muhammad Nawaz Khan, Nawab Saifullah Khan, Sardar Muhammad Gul Khan, Khan Bahadur Abdur Rahim Khan, Ahmed Ali Qureshi.

*Bombay*

Sir Ibrahim Rahmatullah, Mirza Ali Muhammad Khan, Kazi Kabiruddin, Khan Bahadur Muhammad Ismail Curtay, Haji Ali Muhammad Jalaluddin, Fateh Muhammad Munshi, Maulvi Abdur Rauf, Khan Bahadur Shaikh Ali Bakza, Haji Fatech Muhammad Haji Muhammad Maniar, Husain Barduddin Tyabji, Haji Noor Muhammad Ahmed, Sardar

Suleman Cassim Mitha, I.S. Haji, Ahmed Abidin Pierbhoy, Salehbhoy Karimji Barodawala, Hassin Haji Allarakhir, Aziz Gafoor Qazi, Ghulam Husain Bundeali Sowji, Muhammadali Allabux.

*Bengal*

Alhaj Sir Abdul Karim Ghuznavi, Sir Abdul Rahim, The Honourable Nawab Musharraf Husain, Maulvi Abul Kasem, Maulvi A.K. Fazlul Huq, Nawab Khwaja Habibullah, Khwaja Nazimuddin, Khan Bahadur Kazimuddin Ahmed Siddiqi, Dr. A. Suhrawardy, Haji Chaudhri Muhammad Ismail Khan, Khan Bahadur K.G.M. Faroqui, Razaur Rahman Khan, Khan Bahadur Maulvi Emanuddin Ahmed, Khan Bahadur Maulvi Abdus Salam, Khan Bahadur Hemayetuddin Ahmed, Khan Bahadur Alimuzzaman Chowdhury, Mirza Muhammad Ali Nakey, Amir of Ahmadia Community, Calcutta, The Honourable Khan Bahadur Maulvi Abdul Karim, The Honourable Prince Afsur-ul-Mulk Mirza Muhammad Akram Husain.

*Madras*

Maulana Haji Khan Bahadur Ziauddin Muhammad, Sowcar A. Abdul Karim, Sowcar Muhammad Ali, Khan Bahadur Maulana Nawab Tajammul Hossain, Muhammad Moazzam Ali, Muhammad Mukkarram, Khan Bahadur Muhammad Saadullah Badshah, Nawab Muhammad Abdus Salam, Nawab Muhammad Abdul Huq, Khan Bahadur Mir Mugharuddin, Dr. Anwaruddin, Khan Bahadur H.M.A. Khudus, Maulvi Hakim Haji Syed Makhdoom Ashraf, Khan Sahib Dr. Muhammad Abdullah, Maulvi Muhammad Saeed, Maulvi Hakeem Muhammad Saeed, Maulvi Syed Abdul Kadir, Syed Murtaza Saheb Bahadur.

*The Central Provinces*

Syed Abdur Raoofshah, Syed Muzaffar Husain, Abdus Sattar, Nawab Khalilullah, Samiullah Khan, Nawab Niyazuddin Khan, Abdur Rahim Khan, Abdul Jubbar Khan, Azem Khan, Seth Abdulla Isa, Maulvi Chiraghuddin Hakeem, Syed Abdul Hadi, Muhammad Akbar Khan, Masud Ali Khan, Maulvi Hamed Ali, Abdus Salam, Muhammad Ahmed, Abdus Samad, Tajuddin, Mir Ghulam Yasin Khan.

*Sind*

Seth Haji Abdullah Haroon, Haji Aminuddin Najmuddin, Kazi Abdul Kayyum, Abdul Hamid Khudabad Khan, Khan Saheb Noor Muhammad Khan, Rais Dur Muhammad, Mian Alimahomed Sahib Khero.

*Leaders of Muslim Political Parties*

Sir Muhammad Shafi, President, Muslim League, Lahore; Maulana Muhammad Ali, Central Khilafat Committee, Bombay; Mufti Kifayatullah, Jamiat-ul-Ulama-i-Hind; Sir Zulfiqar Ali Khan, Leader, Central Muslim Party; Maulvi Muhammad Yakub, President, Indian Legislative Assembly; Mufti Muhammad Sadiq, Leader, Ahmadiyya Association; Sahibzada Rashiduddin, President, Jamiyat-ul-Quresh; Maulana Muhammad Masud, Leader, Bazm-i-Sufia; Maulvi Abdur Raoof, Secretary, Zelab Islam, Bombay; Maulvi Anis Ahmed, All India Muslim Federation; Nawab Syed Mehdi Hasan, Secretary, Shia Conference; I.S. Haji, President, Young Men's Muslim Association, Bombay; Maulana Azad Sobhani, Head of the Roohaniat Movement; Naib Amir-i-Shariat, Behar; Maulvi Janmuhammad, President, Frontier Khilafat Committee; Mian Muhammad Baloch, President, Sind Khilafat Committee.

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published by Hafizur Rahman, Aligarh, n.d., pp. i-x.

## 6. List of Delegates attending the First All India Muslim Conference

*Delhi, 31 December 1928-1 January 1929*

*Khilafatists*

Khwaja Abu Ahmed Iqbal Saheb Ansari, Khwaja Muhammad Ayyub Saheb Ansari, Abdul Wahab Usmani, Gulsher Khan, Maulana Muhammad Ali, Maulana Shaukat Ali, Maulana Muhammad Irfan, Hafiz Muhammad Usman, Haji Muhammad Moosa Khan Sherwani.

*Members of the Jamiat-ul-Ulama*

Maulana Mufti Kifayatullah, Maulana Abul Mohasin Muhammad Sajjad (Behar), Maulana Abdul Haleem Siddiqi, Maulana Ahmed Saeed, Maulana Umar Daraz Baig, Maulana Husain Ahmed Madani.

*Delhi*

Shams-ul-Ulama Maulana Syed Ahmad (Imam, Jame Masjid), Maulana Muhammad Siddiq, Muhammad Aminuddin, Muhammad Rashiduddin, Nawab Abul Hason, Nawab Shaikh Fariduddin, Maulvi Mazharuddin, Khwaja Ghulam-us-Sibtain, Khan Saheb Master Fazluddin, Mirza Ejaz Husain.

*The United Provinces*

Khan Bahadur Syed Jafar Husain, M.L.C.; Khan Bahadur Maulvi Fasihuddin, M.L.C.; Khan Bahadur Hafiz Hidayat Husain, M.L.C.; Dr. Shafaat Ahmed Khan, M.L.C.; Khan Bahadur Masud-ul-Hasan, M.L.C.; Khan Bahadur M. Ziaul Haq, M.L.C.; Matinuddin, M.L.C.; Syed Habibullah, M.L.C.; Abdul Bari, M.L.C; Shaikh Abdullah, M.L.C.; Raja Syed Ahmed Ali Khan Alavi, Raja of Salempur, M.L.C.; Mushir Hosain Kidwai; Zahoor Ahmad, M.L.C.; Haji Abdul Qayyum, M.L.C.; Khan Bahadur Shaikh Syed Muhammad, M.L.C.; Nawab Jamshed Ali Khan of Bhagpat, M.L.C.; Nawabzada Abdus Sami Khan, M.L.C.; Honourable Nawab Muhammad Yusuf, M.L.C; Shaikh Khaliluddin, M.L.C.; Dr. Ziauddin Ahmad; Muhammad Yamin Khan, M.L.A., Nawab Muhammad Ismail Khan, M.L.A.; Dr. L.K. Hyder, M.L.A.; Maulana Abdul Majid Badayuni; Hakim Moazzam Ali Khan; Khan Bahadur Nawab Shaikh Wahiduddin; Muhammad Bashir; Muhammad Amin; Maulana Hasrat Mohani; Begum Hasrat Mohani; Rao Abdul Hameed Khan; Kanwar Haji Ismail Ali Khan; Nawab Muhammad Mehdi Hasan Rizvi; Maulvi Muhammad Yaqub (Deputy President, Central Assembly); Dulay Bhai; Maulvi Obaidur Rahman Khan Sherwani, M.L.C.; Maulana Azad Sobhani; Kazi Masood Hasan; Khan Bahadur Nawab Muhammad Ibrahim Khan; Ahsan Ali Khan; Mahmmod Ahmad Abbasi; Sahibzada Shaikh Rashiduddin; Hasan Mohayyuddin Abbasi; Kazi Maqbool Husain; Hafizur Rahman; Muhammad Aminullah; Maulvi Haji Muhammad Muqtada Khan Sherwani;

Abdul Basit Khan; Shaikh Abdul Hamid; Muhammad Faruq; Abdus Samad Muqtadari; Chaudhri Muhammad Swaleh; Haji Muhammad Swaleh Khan Sherwani; Syed Zakir Ali; Muhammad Mahmud Ahmad; Kazi Ghiasuddin; Syed Mujtaba Ali; Muhammad Hafizur Rahman; Ali Maqsood; Abdul Kadir; Shaikh Zuber Hasan.

*The Punjab*

Muhammad Hasan Qureshi, M.L.C.; Shaikh Muhammad Sadiq, M.L.C.; Maulvi Mahboob Alam; Shaikh Niaz Muhammad; Shaikh Muhammad Bukhsh; Maulana Ghulam Mohayyuddin; Syed Mohsin Shah; Maulana Syed Habib; Qazi Nazir Ahmed; Khan Saheb Khwaja Gul Muhammad Khan; Khan Bahadur Nawab Muhammad Ibrahim Ali Khan; Nawabzada Muhammad Ihsan Ali Khan of Maler Kotla; Dr. Khalifa Shujauddin; Mian Sir Muhammad Shafi; Honourable Malik Firoz Khan Noon; Dr. Sir Muhammad Iqbal; Ghulam Rasul Meher; Abdul Majid Salik; Mian Muhammad Shah Nawaz, M.L.A.; Mian Muhammad Rafi; Sir Rahim Bukhsh, M.L.C.; Nawab Sir Zulfiqar Ali Khan, M.L.C.; Nawab Ahmed Jan Khan Daultana, M.L.C.; Zahur Ahmed Bugvi; Rashid Ahmed; Manzoor Ali Bin Taib; Afzal Ali Hasan; Shaikh Muhammad Sadiq.

*Bombay*

Sir Ibrahim Rahmatullah, Maulvi Abdur Rauf, Fateh Muhammad Munshi, I.S. Haji, Ali Muhammad Chunera, Haji Ahmed Muhammad Bhindiwalla, Maulvi Anis Ahmed, Maulana Nazir Ahmed, Muhammad Zakria Maniar, Muhammad Ali Maniar, Sabze Ali, Abbas Bhai Abdul Ali, Musaji Imamji, Varas Daya Bhai Velji, Khan Saheb Mansuri, Daood Khan Saleh Bhai Tayebji, M.L.C.; Hosain Ali M. Rahmatullah, Haji Ahmed Saheb, Hashem Moldina Saheb, Abdur Rauf Khan, Mir Muhammad Baloch.

*Sind*

Seth Haji Abdullah Haroon, Shaikh Abdul Majid, Abdul Hameed Khudadad Khan, Nawab Khaliqdad Khan, Alijah Mukhi Husain Mukhi Allahrakhi.

*Central Provinces*

Sharfuddin, Khan Bahadur Mirza Rahman Beg, M.L.C.; Kazi Hifazat Ali, M.L.C.; Siraj Ahmed.

*Madras*

Hamid Hasan Schamnad, Khan Bahadur Haji Abdullah Haji Kasim, M.L.A.

*North-West Frontier Province*

Abdul Aziz, Azizullah Khan of Toru, Fateh Muhammad Khan Khattak, Nawab Khaliqdad Khan Bhaya, Abdul Hameed Khan.

*Assam*

Abdul Hameed (President, Assam Legislative Council).

*Bihar and Orissa*

Maulana Muhammad Shafi Daudi, M.L.A.; M. Shah Masood Ahmed; Maulvi Manzoor Ahsan Ejazi; Hakim Khalil Ahmed; Sir Sultan Ahmed; Khan Bahadur Khwaja Muhammad Nur (President, Legislative Council, Behar and Orissa); M. Ismail Muhammad Khan; Maulvi Muhammad Ishaq; Sirajuddin; Muhammad Siddiq; Muhammad Illahi Bukhsh; Maulana Mehdi Saheb.

*Bengal*

Sir A.K. Ghuznavi, Bedar Bakht, Honourable Mahmood Suhrawardy (Member, Council of State), Abul Kasim.

*Qadianees*

Mufti Muhammad Sadiq, Chaudhry Zafarullah Khan, Hakim Abu Tahir Muhammad Ahmed, Babu Ijaz Husain.

*Miscellaneous*

Inamullah, Siraj Ahmed, Ijaz Husain, Ibrahim Usuf Ali.

*Subsidiary List*

Khan Bahadur Haji Maulvi Ziayuddin Muhammad (Madras); Syed Ghulam Bhik Nairang (Ambala); Hakim Habibur Rahman (Dacca); Syed Muhammad Ashraf (Kohat);

S.A. Hadi (Jubblepore); Honourable Sir Ebrahim Haroon Jaffer (Bombay); Mir Noor Muhammad Khan (Jacobabad); Muhammad Rafiq, M.L.A. (Calcutta); Syed Muttalabi Faridabadi (Faridabad); M.I. Khuro, M.L.C. (Sind); Chaudhry Din Muhammad (Lahore); Pir Akbar Ali, M.L.C. (Ferozepur); Azimullah (Lahore); Mian Muhammad Hayat Qureshi, M.L.C. (Panjab); Maulvi Masudur Rahman Nadvi; Honourable Ali Bukhsh Muhammad Husain (Member Council of State) (Sind); Hakim Syed Ali Ahmed Zaidi (Faridabad); Kazi Muhammad Aslam (Peshawar); Khan Bahadur Makhdoom Syed Rajan Bukhsh Shah Jilani, M.L.A. (Multan); Sardar Naharsingji alias Nasrullah Khan Thaor [*sic.* Thakur of Amod]; G.A.D. Wazif, M.L.C. (Malegaon); Abdul Hameed Khan, M.L.C. (Behar and Orissa); Khan Sahib Bashir Ahmed Khan (Gurdaspur); Abdul Latif Haji Hajrat Khan, M.L.C. (Sholapur); Abdullah Haji Isa (Bhagat-Godhra); Mian Abdul Haye, M.L.A. (Ludhiana); Kazi Syed Ishaq Syed Hason, Kazi of Wai and Mahableshwar (Bombay Presidency); H. Shaheed Suhrawardy (Calcutta); Muhammad Sadique (Jalpaiguri); Khan Saheb A.A. Deshmukh (Pochora)

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published (by authority) by Hafizur Rahman, Aligarh, n.d., pp. 6-8, xvii. The compiler's note to the first list reads: "The following are names of some of the prominent delegates who attended the Conference and whose names could be noted down in a haphazard way by volunteers while it was actually sitting. Many names must surely be missing in this list". He prefaces the subsidiary list with this gloriously nonchalant statement: "The following gentlemen communicated their intention of attending the Conference to its authorities and were most probably—nay, almost certainly—present in it. Somehow their names escaped being noted down by volunteers.".

## 7. Muslim Conference Reception Committee Chairman Hakim Muhammad Jameel Khan's Address[1]

*Delhi, 31 December 1928*

Your Highness and Elders of the Community,

This is my first and pleasant duty that I, on behalf of the Reception Committee, thank the august persons who have

[1] A composite report of direct quotations and indirect reporting.

come to Delhi and have graced this Conference for doing a most important service to the community. His Highness Sir Aga Khan deserves our thanks most, because he has undertaken a long journey from Europe to India for the sole reason of guiding his community at this critical juncture. On the matters which are soon to come under discussion and on the true sentiments of the Muslims for the expression of which this momentous Conference has been held, it was my duty, in the capacity of the President of the Reception Committee, to at least briefly comment, but in view of my inexperience and worthlessness, I do not wish to take your precious time by reading out a long reception address.

The present times were bristling with difficulties and were very critical for the Musalmans of India, he said. It was a life and death struggle for them and they still did not know what difficulties and hardships they would have to face before reaching their goal. The advent of the Nehru Report had intensified that struggle for Muslim existence, and they had gathered together today to define their position in the future constitution of India and that, though their plans might be defective, they had a very strong faith in their objective and in the justice and righteousness of their cause. Further, they had gathered together to consider the Nehru Report in all its implications. They were asked to decide how much of the Nehru Report adequately safeguarded Muslim interests and how much of it required amendments and alterations. After detailing the history of recent political developments in the country which culminated in the appointment of the Nehru Committee, he congratulated the members of the Nehru Committee on their laudable handiwork. But he said no human effort was perfect, and similarly there were shortcomings in the Report also. He regretted the Report did not bring about the expected unity and goodwill among different communities in India, and, with the exception of a few, Musalmans in the country regarded the Nehru scheme of communal representation as inadequate for safeguarding Muslim interests. They have, therefore, not accepted the Nehru Report in entirety [*sic.*].

It is a matter of great regret that there is no single Muslim organization in the country which can speak in the name of Indian Musalmans and take the decision which could be accept-

able to the whole of Muslim India, a matter which not only vitally concerned [*sic.*] the present generation but also the Muslim race in the country.

This is one reason for calling the present Conference. He further regretted to say that the Muslim League had been rent in twain and he appealed to His Highness to bring about unity between the two wings of the League during his stay in his country.

Replying to the critics of the Conference, he said and asked who could be more competent to call a Conference than the members of the Central Legislature who were returned with Muslim votes. In his opinion, they enjoyed greater confidence than the National Congress which had called the All Parties Conference. And just as the Congress, in spite of its claim to represent India, had to call the All Parties Convention in order to take decisions on the Nehru Report, so the present Conference was justified in spite of the Muslim League. The reason for calling forth the Conference having been made clear, he proceeded to point out the shortcomings in the Nehru Report. He said that conditions in India radically differed from those prevailing in Canada, Australia and New Zealand. Unlike those countries, India was a mixed bag of different races and nationalities which had irreconcilable differences of creed, language and culture and radically differed with each other in mentality and outlook on life. As these differences were of prominent nature, each community was busy in a struggle for self-preservation; and a religious, educational and political warfare was witnessed all round in the country today. Sangathan, Shuddhi, Tabligh, Tanzim, cow and music had permeated the political life of the country, and leaders of communities had devoted their lives to these different war-cries. Further, while only about 8 per cent of the population was literate, while rest of Musalmans were in a very weak state, the other sister communities had put themselves as barriers in the way of their advancement in every walk of life. Their honour, wealth, economic, social, religious and political rights and privileges, their language and culture were constantly being preyed upon.

Previously this attitude was shown by few individuals, but now this had assumed a universal shape. Under these circum-

stances, no one with a grain of common sense will be willing to regard joint electorates, which were the corner-stone of the Nehru Report, to be beneficial for Musalmans, and that in matter of representation the recommendations of the Nehru Report were wholly unworkable and would lead to further disunity instead of bringing about unity. The first objectionable feature of the Report was the question of franchise under which every adult male and female was granted a vote. He was personally in favour of this recommendation as an ideal, but under present conditions Musalman women were not prepared to take this step. He knew many families who would prefer pecuniary loss to letting their women go into a court-room. The main effect of this recommendation would be that cent per cent Hindu women would exercise their vote while about one per cent Muslim women might be persuaded upon to go to the polling booth. This would mean that the present Hindu majority would be doubled.

Their second objection was on the system of joint electorates. In reality, the recommendation was calculated to ruin Indian Musalmans. Leaving the case of Hindus in the provinces in which they had majority, they even in the provinces where they were in minority would be able to return such candidates only who would be Musalmans in name. This Hindus could easily accomplish with the aid of their wealth, unity and discipline they had in their ranks. Then again, Musalmans had been granted reservation of seats in provinces in which they were in minorities, while no such proposal had been made to give a like treatment to Hindus in provinces in which the latter were in minority. This was because the framers of the Nehru Report were convinced that Hindus, in spite of their minority, would always be able to secure seats in excess of their population, and reservation of seats for them would be a hindrance in their way; and the main effect of the Nehru Report was to strengthen the Central Government at the cost of Provincial Governments to which only very few powers were allotted. This would mean that the benefits accruing to Muslims, by being in majority in certain provinces, would be reduced to nothing; and the present situation in the country did not warrant any community trusting the other to safeguard its rights and interests. Further, Muslim representation in the Central Legislature, which according to the

Madras Congress was fixed at 33 per cent, had been reduced to 25 by the Nehru Report. It was, therefore, difficult to see how the Muslim interests could be safeguarded when the Central Government with real power in the country would have only 25 per cent Muslim representatives, and those too elected by the Hindus. They, therefore, must strive for full provincial autonomy on federal basis, Government of India having only all-India and Foreign subjects.

And the Report does not secure for the Musalmans separate electorates, reservation of seats, or a share in the services in the Universities, Educational Boards, Municipal and District Boards and other bodies. The effect of this omission would be that the Musalmans would lose even their present position in the country. Similarly, no proportion for the Muslims has been fixed in the Executive Councils of the country, nor the Nehru Report had recommended any protection of the Urdu language. This would drive away the Musalmans from the Executive Councils of the country on the one side, and would force the Muslim children to study Hindi to the eternal glorification of Hindu religion. Semitic culture would thereby be replaced by Aryan culture in Muslim homes. The Nehru Report further ignores the Congress-League agreement regarding legislation affecting any religious rights. Lastly, the question of the separation of Sind had been subjected to so many conditions that they had made separation an impossibility. In conclusion, he suggested that Musalmans should be given representation in excess of their population, both for their political importance as also for protecting their rights, and the same principle should be followed in case of universities, local bodies and services. Besides this, he urged the protection of Urdu, and suggested that 33 per cent of every aid, whether from Government or from any private educational, religious or charitable fund, should be earmarked for Musalmans.

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published by Hafizur Rahman, Aligarh, n.d., pp. 10-12. The address was originally delivered in Urdu.

## 8. Conference Secretary's Statement

*Delhi, 31 December 1928*

Your Highness and Gentlemen,

On behalf of the conveners of the Conference I desire to welcome you, the members of the Central and Provincial legislatures, the accredited representatives of the important political organizations and the elected delegates of various provinces in India, and to express my deep gratitude for responding to our invitation.

In view of the criticisms that have been levelled against the holding of the Conference, the conveners consider it desirable to explain briefly the reasons which led them to summon this representative Conference. It will be recollected that towards the end of last year (1927), soon after the appointment of the Statutory Commission under the Government of India Act had been announced, serious differences of opinion arose amongst the leading men of our community as to the attitude to be adopted towards the Commission. This controversy assumed serious proportions and threatened to destroy Muslim solidarity. It actually culminated in the disruption and disintegration of an important political organization, I mean, the All India Muslim League, which resulted in the formation of two distinct bodies. They both claimed to speak on behalf of the Muslims of India and passed conflicting resolutions both as regards the Commission and the Muslim political requirements. It will then be clear that neither of the two was in a position to deliver the goods on behalf of the Muslim community, and their verdicts only amounted to the expression of the views of different schools of political thought in the Muslim community.

The Congress convened an All Parties Conference with a view to frame [*sic.*] a constitution for India perhaps to meet the challenge of Lord Birkenhead. This Conference was first held at Delhi, and the Calcutta League and the Central Khilafat Committee were represented in it. The League held in Calcutta in 1927 accepted the resolution passed by the Madras session of the Congress in that year with certain modifications. An effort was made at the All Parties Conference held in Bombay. [*sic.*] A committee was appointed to frame a constitution under

the chairmanship of Pandit Motilal Nehru. The committee drew up a constitution for India and placed it before a conference held at Lucknow.

The only Muslim organization which was officially represented at the Lucknow Conference was the Central Khilafat Committee, and that body too did not approve of the recommendations of the Nehru Committee on the communal question. The endorsement of the Nehru Report by the Conference at Lucknow created a feeling of apprehension in the minds of Muslims, as they felt that their rights had been jeopardized, and unless they did something, their claims would go by default. The Muslim members of the Central Legislature met in Simla in September last and, realizing the situation, convened an informal conference of the Muslim members of the Central Legislature [to decide] as to what steps should be taken to place their views before the Convention which was to be held in December.

It was resolved that, in order to ascertain the real opinion on the important constitutional problem, a conference should be convened of people belonging to all shades of opinion. This step was decided upon because of the unfortunate division in the All India Muslim League. The conveners of the Conference decided to invite about six hundred representatives belonging to all schools of thought.

The composition of the Conference was to be as follows:

(1) All non-official Muslim members of all provincial councils and the central legislature;

(2) Twenty Muslim representatives from each of the following organizations:

The All India Muslim League, Calcutta; the All India Muslim League, Lahore; the All India Khilafat Conference; and the All India Jamiat-ul-Ulama;

(3) Twenty representatives from each of the provinces in India.

In addition to these, other leading Muslims such as Dr. Ansari, Sir Ali Imam, Mr. Hason [*sic.*] Imam, Mr. Yakub Hasan and Maulana Abul Kalam Azad have also been invited.

I am glad to inform you that all those whom we invited have very kindly responded to our invitation except the Jinnah

League who have not only refused our invitation but have also questioned the representative character of the Conference and its utility to the community. I leave it to you to judge their claim in the light of their recent discussions at Calcutta.

The conveners of the Conference deliberately decided not to frame any definite proposals with regard to the Nehru Report, to be placed before the Conference for consideration. As you are aware, widely different views are held by important sections of the Muslim community in regard to the Report. The conveners do not desire to take any partisan view by committing themselves to any definite line of action. Their earnest desire is that all Muslim representatives should meet to examine the problem from all its aspects and, by free and frank exchange of views, to declare in clear terms the opinion held by the Muslim community as regards the future constitution of this country. Thirty-eight out of the total of 49 members of the central legislature joined in convening this Conference and decided to invite your Highness to grace it as its President. The conveners cannot but be deeply grateful to your Highness for having accepted their invitation and having agreed to give your experienced guidance to the community at a serious epoch in the history of the Muslims of India. The Nehru Report has received wide publicity and many political organizations have discussed it at the many conferences which have been held and are being held at Calcutta, with the result well-known to you through elaborate reports in the press. The idea of holding this Conference has appealed to an overwhelming majority of Muslims in the country, but it has not escaped criticism. It is difficult to understand why so much opposition has been raised against the holding of this Conference which has been based on an unassailable principle. As I have already stated, the conveners are thirty-eight members of the central legislature and their representative character is unquestioned. All the Muslim members of the provincial legislative councils in India have been invited as a matter of right, and many of them have responded by their presence at this gathering. Other representative Muslims have also been invited and many of them are here. I claim that this is a thoroughly representative gathering which can legitimately claim to speak authoritatively on behalf of the Muslims of

India. Surely, it is far more representative than an individual association having a small number on its roll.

I am unable to understand why there should be any opposition to a conference consisting of so many Muslim representatives. It is claimed that the Nehru Report has been prepared to meet the challenge of Lord Birkenhead, the then Secretary of State for India. The challenge was for an agreed constitution. In view of recent happenings at Calcutta, I should like to ask whether the Nehru Constitution can, by any stretch of imagination, be called an agreed constitution. If Lord Birkenhead's challenge is to be effectively met, the framers of the Nehru Constitution ought to welcome criticisms from all important sections of the Indian population and to receive it in the right spirit. The Muslim community in India is not an unimportant part of the population; and if representative Muslims call such a conference as this, it will result in knowing the real mind of Muslims, so that it may contribute towards securing what is required, that is, an agreed constitution.

Let me assure my Hindu friends that the Muslims are not a whit less keen for self-government for their common Motherland than the former. The Muslims only desire and rightly desire that in the future government of India their legitimate interests shall be adequately and unequivocally safeguarded. That is the object of holding this Conference and it is for you, gentlemen, to come to a mature decision as regards the all-absorbing question of the political future of our Motherland.

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929*, compiled and published (by authority) by Hafizur Rahman, Aligarh, n.d., pp. 12-14.

## 9. Muslim Conference Presidential Address by Aga Khan

*Delhi, 31 December 1928*

I thank you for the great honour you have done me in asking me to preside over your deliberations. Before proceeding with business I am sure the Muslim community will join me unanimously in wishing His Majesty the King Emperor com-

plete restoration to health and strength. The deep anxiety which the world has shown for His Majesty's health, which had been undermined by overwork in the zealous discharge of the multifarious and onerous duties, shows that they all appreciate his solicitude for the welfare of the humanity at large. It has been an anxious time not only for His Majesty's subjects but for the whole world who have watched with keen anxiety one who has been regarded as a great pillar on which depends the progress of the world. Happily, our anxiety is nearly, if not wholly, over. The illness drew sympathy for the Queen Empress, the Prince of Wales and the Royal Family, and it must have been some comfort to them that their trouble was shared not only by every individual in the Empire but by the people of other countries. May His Majesty live long to continue to shower the blessings of his beneficent rule on his subjects.

Now, I will at once come to the immediate business before us which is to consider the future of our co-religionists and their interests in the body-politic of India. The views and opinions I express are based on long experience of public affairs as well as the study of the past and present history of other nations. The lessons of the Great War have further strengthened those convictions and the conclusions which I have arrived at after mature consideration.

The great lesson of modern history, to my mind, is that only those nations succeed and only those policies lead to national greatness which are based not on ideas or ideals of a few leaders, however eminent, or of a few thinkers, but on the general consensus of views and opinions of the people. I will give one or two examples in support of this argument. The policy of Imperial Germany was shaped by the leaders of that nation as a class. The pre-war policy of Russia was not that of the Russian people, but inspired by the Panslavists, Kat Kof and his disciples. The policies of England and France were, indeed, based on the desires of the English and French people. Similar examples are to be found on every page of recent history. When in my Manifesto last year, I appealed to the Muslims of India to replace the old self-constituted political bodies that had served their day and purpose by an organization of all Muslim members in touch with their electorates, I wished to place the guidance of our people in their own hands. The time has come when

the leaders should keep their ears to the ground and ascertain the views and wishes of the masses. Gentlemen, make no mistake. The changes that must come over India profoundly affecting our future, will not come in a day. They will not come as in Russia like a thief in the night. Had the result of the War been different, we might have suddenly found ourselves in that position, but the attitude of the overwhelming mass of the Indian public during the War showed to the world that they were not in favour of such a hurried solution. Whatever our wishes may be, this Conference is but the first of many more that will have to evolve a truly representative body to look after and further the desires of Muslims of India. The greatest service you can render to your people would be to organize all the Muslim members of each and every Council into a body where exchange of views and ideas and communication of the same to the electors as well as the reception of the general desires of the masses, would remain the main purpose and object. In politically successful countries, from the Premier or the President to the humblest voter, it is but one succession of nerve lines of communication. If we had such a body, I for one should sleep in peace; for I would know that many political theories would most certainly be made by them and not by anybody else for them. From now onwards we must ever remember, even in this Conference, not what are our own individual political preferences but what are the aspirations of the Muslim masses in this country.

Then there are certain obvious truisms which are necessary forms of thought for political activity just as certain mental truisms are the basis of natural science and intellectual life. In this connection, I may give you several examples of those obvious facts that may be forgotten at times. Here is one. It is impossible for Muslims to live happily and peacefully in India if friction and suspicion are to prevail between them and the Hindus. Another vivid instance, India as a whole cannot be a prosperous or self-governing country if such a large and important section of the community as the Muslims remain in doubt as to whether their cultural entity is safe or not. Here is a third and most important one. As long as we are dependent for protection against external aggression and internal security and for peace upon Great Britain, and the British garrison occupies the land

and the air and naval forces survey us from above and watch the coasts, Great Britain will naturally claim a dominant share and voice in the governance of India. It is essential that these and similar other truisms should not be lost sight of. The Muslim masses are, I am sure, sufficient realists to know and appreciate them. Gentlemen, you come from them; you are in touch with them; you know their views.

Another point to be kept before us is that our desires must not be mere ideas and ideals. You are part of them. It is your duty to interpret as far as you can their wishes, their aspirations and their ideals, till such time as our political organization is sufficiently advanced to let the people carry out their own wishes. Another point to be kept in view is that our wishes or ideals are not necessarily realities.

You must avoid forcing your own preferences when they clash with what we believe to be the real wishes of the mass of the people. The policy to be pursued during the immediate years, I would once more emphasize, must not be based on our personal views and predilections, but on what you know to be the general desires of the people to whom you belong. What are the desires of the Indian Muslims? I can safely say that the overwhelming majority of Muslims are determined to maintain their cultural unity and remain culturally inter-related with the Muslims of the world. How that can best be accomplished, it is for you to think out.

But that does not mean that the general welfare of the whole commonwealth is to be ignored by us. It does not mean that the Muslim representatives' activities are to be confined to their own sectional interests. That would be wrong. The Muslim members should consider it their duty to look after the interests of India as a whole or of a Province as a whole and advocate the promotion of general interests at every opportunity. I will illustrate what I mean by giving a concrete example. Now, take the question of education, primary, secondary and higher. For more than a generation, I have urged that a national educational policy for India is impossible unless financed by large educational grants raised by the State as loans and not from current revenue. Such loans should be as much a legitimate object as any public work, as they will, through improvement in intelligence, add to the economic welfare of the country. In regard to

Muslim education, especially, one striking fact is that there exists a sort of gauge between primary and higher education in the universities and technological and other institutions. It is incumbent on us all to find a solution of this most important Muslim problem. Our secondary educational institutions specially need further support from the State.

Another great difficulty which has been ineffectually tackled in the past is the question of language as medium for instruction. We must bear in mind that the acquisition of knowledge is quite a different thing from the medium of acquiring it. Our linguistic traditions are mainly based on Persian and Urdu. Urdu is one of the most important and wide-spread languages in the world. It serves as a medium of communication between Muslims of different parts of India as well as between Muslims and other communities of a district. The foundation of the Osmania University, which owes its existence to the magnificent generosity of His Exalted Highness the Nizam of Hyderabad, is bound to give a great impetus to the educational activities of our people. It is adapted to higher culture. But both Urdu and Persian scripts present serious difficulties in the primary stages of education, and it is a matter for deliberation how we can improve and simplify the change of script.

Now, whether in education or politics, I would beg of you to consider the realities and not to throw away the substance for the shadow. Whether in education or in politics, build on a solid foundation. Do not be carried away by catchwords; nor hanker after ideals that may not be within your grasp, but concentrate your minds on what is practicable and useful under pressing economic and political needs of the country and strive after actualities to promote the higher happiness of mankind.

In recent times, no question seems to have aroused so much controversy as the question of separate electorates for the protection of the right of minorities.

The merits and demerits of separate or so-called communal electorates have been discussed so often that it is unnecessary to re-examine them in detail. In regard to the implications of the term "communal", I may remark in passing that the Muslims of India are not a community, but in a restricted, special sense a nation composed of many communities and a population totally outnumbering the total even of the pre-war German Empire.

The vital and dominant consideration which underlies this question is the real representation of Muslims in all legislatures and self-governing bodies. How that can be secured is a problem for the Muslim population of this country to consider and solve without any prejudices.

Gentlemen, I have specially at your request come to this Conference and felt it more than ever my duty to draw attention to the urgent problems that can be dealt with, rather than to discuss doubtful questions of an uncertain future. If through your elected representatives you can further the practical solution of these problems, a great step forward will have been taken.

I cannot allow my speech to close without making a passing reference to a subject of constant friction between the two sister communities and making a fervent appeal, with all the earnestness that I command, to remove that friction as far as possible so that Muslims may live in amity with their Hindu brethren. While referring to the cause of friction, I take this opportunity of expressing profound admiration and gratitude of Indians to His Excellency the Viceroy for his earnest endeavour to bring about harmonious relations between the Hindus and Muhammedans.

Cow-killing has unfortunately been a perpetual source of bitter feelings between Muslims and Hindus. It is incumbent on us all to find a remedy. It may help us to do this, if we trace the origin of sacrificial rites. We are all agreed that we celebrate the historical sacrifice by Ibrahim. But it must be remembered that Ibrahim, one of our great Prophets, did not sacrifice a cow, nor is the sacrifice of a bovine especially enjoined anywhere. On the contrary, the camel or the sheep is more frequently mentioned in connection with sacrificial rites. How many of our Hajis have sacrificed cows in Arabia, the home of Islam?

The Emperor Baber, who was as Mr. Edwardes has pointed out, the greatest monarch of his age, enjoined his son Humayun to respect the religious sentiments and even the prejudices of the Hindus and he specifically mentioned the cow as an animal venerated in India. The late Ameer Habibullah Khan, who was a good Muslim, discountenanced the practice. If other Muslim leaders share their views, they will certainly not be acting against any Islamic injunction.

You no doubt know our religious dictum that "the flesh and blood of animals do not reach God". This is a humanitarian view entirely in accord with our conception of the Deity and His creation.

I am open to be enlightened on this point by our Ulama, but am certain that not one of them will countenance the parade of sacrificial rites in public places. There are many other communities who eat beef, but they do not hurt the susceptibilities of their neighbours by parading the sacred and adored animals for slaughter.

In the light of these facts, which I have mentioned, it is a matter for your serious consideration whether we should re-examine our views on this particular sacrifice and test its true significance. If by doing so, we can re-adjust our relations with our Hindu friends, we shall indirectly render a service of incalculable value and importance to the cause of peace and prosperity and even perhaps satisfactory political readjustments.

Source:—*Report of the All India Muslim Conference held at Delhi on 31st December, 1928, and 1st January, 1929,* compiled and published by Hafizur Rahman, Aligarh, n.d., pp. 20-23.

## 10. Muslim Conference Resolutions

*Delhi, 31 December 1928-1 January 1929*

1. Whereas, in view of India's vast extent and its ethnological, linguistic, administrative and geographical or territorial divisions, the only form of government suitable to Indian conditions is a federal system with complete autonomy and residuary powers vested in the constituent states, the Central Government having control only of such matters of common interest as may be specifically entrusted to it by the constitution;

And whereas it is essential that no bill, resolution, motion or amendment, regarding inter-communal matters be moved, discussed or passed by any legislature, central or provincial, if a three-fourths majority of the members of either the Hindu or the Muslim community affected thereby in that legislature oppose the introduction, discussion or passing of such bill, resolution, motion or amendment;

And whereas the right of Muslims to elect their representatives on the various Indian legislatures through separate electo-

rates is now the law of the land and Muslims cannot be deprived of that right without their consent;

And whereas in the conditions existing at present in India and so long as those conditions continue to exist, representation in various legislatures and other statutory self-governing bodies of Muslims through their own separate electorates is essential in order to bring into existence a really representative democratic government;

And whereas as long as Musalmans are not satisfied that their rights and interests are adequately safeguarded in the constitution, they will in no way consent to the establishment of joint electorates, whether with or without conditions;

And whereas, for the purposes aforesaid, it is essential that Musalmans should have their due share in the central and provincial cabinets;

And whereas it is essential that representation of Musalmans in the various legislatures and other statutory self-governing bodies should be based on a plan whereby the Muslim majority in those provinces where Musalmans constitute a majority of population shall in no way be affected and in the provinces in which Musalmans constitute a minority they shall have a representation in no case less than that enjoyed by them under the existing law;

And whereas representative Muslim gatherings in all provinces in India have unanimously resolved that with a view to provide [*sic.*] adequate safeguards for the protection of Muslim interests in India as a whole, Musalmans should have the right of 33⅓ per cent representation in the Central Legislature and this Conference entirely endorses that demand;

And whereas on ethnological, linguistic, geographical and administrative grounds the province of Sind has no affinity whatever with the rest of the Bombay Presidency and its unconditional constitution into a separate province, possessing its own separate legislative and administrative machinery on the same lines as in other provinces of India, is essential in the interests of its people, the Hindu minority in Sind being given adequate and effective representation in excess of their proportion, as may be given to Musalmans in the provinces in which they constitute a minority of population;

And whereas the introduction of constitutional reforms in the North-West Frontier Province and Baluchistan along such lines as may be adopted in other provinces of India is essential not only in the interests of those provinces but also of the constitutional advance of India as a whole, the Hindu minorities in those provinces being given adequate and effective representation in excess of their proportion in population as is given to the Muslim community in provinces in which it constitutes a minority of the population;

And whereas it is essential in the interests of Indian administration that provision should be made in the constitution giving Muslims their adequate share along with other Indians in all services of the State and on all statutory self-governing bodies, having due regard to the requirements of efficiency;

And whereas, having regard to the political conditions obtaining in India, it is essential that the Indian constitution should embody adequate safeguards for protection and promotion of Muslim education, languages, religion, personal law and Muslim charitable institutions, and for their due share in grants-in-aid;

And whereas it is essential that the constitution should provide that no change in the Indian constitution shall, after its inauguration, be made by the Central Legislature except with the concurrence of all the states constituting the Indian federation;

This Conference emphatically declares that no constitution, by whomsoever proposed or devised, will be acceptable to Indian Musalmans unless it conforms with the principles embodied in this resolution.

2. The All India Muslim Conference invites the attention of the Musalmans of India that it is high time the different schools of thought amongst them should put forth their joint efforts and undertake all or any of the following items for the well-being of the community:

(1) Promotion of primary education among Muslim boys and girls.

(2) Provision of qualified teachers.

(3) Introduction of up-to-date curriculum in national institutions.

(4) Establishment of night schools for the secular and religious education and instruction of Muslim adults.

(5) Revival of Islamic spirit by utilizing mosques as centres for social, moral and economic activities.

(6) Adoption of means whereby Muslims may be saved from following un-Islamic customs and habits.

(7) Encouragement of trade, arts and industries to combat unemployment.

(8) Establishing or encouraging Muslim newspapers for creating public opinion in favour of the scheme.

Source:—*The Main Resolutions of the All India Muslim Conference*, published by Muhammad Shafee Daoodi, Patna (Bihar and Orissa), Working Secretary, All India Muslim Conference, n.d. (? 1930) (printed at the Army Press, Simla), pp. 3-6.

## 11. Muslim Conference Executive Board Resolutions

*Simla, 8 September 1929*

1. The Executive Board of the All India Muslim Conference emphatically protests against the aggressive Zionist movement in Palestine being allowed to interfere with the existing rights of Muslims in their sacred places of worship, and regards the existing unhappy Jewish-Arab situation in that state as the inevitable effect of the Balfour Declaration, whereby outside influences have been enabled to rouse dreams and aspirations among the jews of Palestine who before the said Declaration had lived in harmony and concord with their Muslim countrymen.

The Board, representing Indian Muslims, offers its heartfelt sympathy to their co-religionists in Palestine in their sufferings resulting from the recent unhappy occurrences in that country and trusts that the British Government, as the Mandatory Power, would not only abstain from encouraging the Zionists in their present aggressive attitude, but would also take steps to bring about a speedy establishment of a truly representative democratic government as demanded by the Arab population.

2. The Executive Board of the All India Muslim Conference places on record its emphatic protest against the humiliating restrictions and limitations imposed by the South African Government on the entry and free movement of Maulana Muhammad Ali and Shaukat Ali in South Africa and their party. The Board further trusts that the Government of India will use their full influence with the South African Government to bring about the removal of the existing restrictions upon Indians freely visiting the Dominion of South Africa.

3. Whereas the Indian National Congress having succumbed to the influence of the Hindu Mahasabha has now abandoned its constitutional ideal of the establishment of a federal system of government with full provincial autonomy, which it had consistently advocated since 1904, and whereas owing to the same influence the Congress has adopted, instead of the constitutional ideal aforestated, a constitution embodied in the Nehru Report which, as has been rightly stated by Mr. Kelkar in his recent address delivered at the Dacca Provincial Hindu Sabha, is practically identical with that advocated by the Hindu Mahasabha at Jubblepore and elsewhere, and is entirely opposed to the unanimous opinion of Muslim India; and whereas the Congress session to be held at Lahore during the forthcoming Christmas will, in these circumstances, be essentially a gathering of the Hindu Mahasabha, the Executive Board of the All India Muslim Conference deems it in the highest degree detrimental to the best interests of the country in general and the Muslim community in particular, for any Musalman to attend the forthcoming session of the Indian National Congress, and earnestly hopes that Indian Musalmans will, at this critical juncture, show a united front by abstaining from participation in the Congress session, as by such participation they will only be lending support to the constitution.

4. Resolved that representative all-India Muslim deputations do proceed to England, as and when necessary, to take steps under the leadership of His Highness the Aga Khan to put forward the rights and claims of Muslims in any future constitution of India before the British Cabinet, members of Parliament and the British public.

5. That the Working Committee should take all necessary steps to carry into effect all the above resolutions and shall, in

[the] choice of the personnel of the deputation, keep it in view that the peculiar interests of the various provinces shall, as far as possible, find an adequate representation on the deputation and for this purpose invite suggestions from various provinces.

6. Resolved that, with a view to strengthening the representation to be made by the Muslim deputation as well as organizing Muslim public opinion in support of the resolutions adopted by the All India Muslim Conference, steps should be taken to organize an intensive propaganda by means of holding meetings and conferences, in the various centres of the Muslim population of India.

7. Resolved that the next session of the All India Muslim Conference be held at Lahore during the Christmas week.

8. Resolved that Sir Ibrahim Rahimtoola be elected to preside over the next session of the All India Muslim Conference.

9. Resolved that a branch of the All India Muslim Conference be established in England.

Source:—*The Indian Quarterly Register 1929, Vol. II: July-December 1929*, pp. 353-354.

## 12. Muslim Conference Executive Board Resolutions

*Lahore, 30-31 December 1929*

1. The Executive Board of the All India Muslim Conference, representing the Indian Musalmans, expresses its deep abhorrence on the dastardly bomb outrage committed on the Viceregal train at Delhi on the 23rd December and tender to their Excellencies Lord and Lady Irwin the sincere congratulations of the Muslim community on the providential escape of their Excellencies and their party.

2. The Executive Board of the All India Muslim Conference appreciates the efforts of the South African Musalmans who had organized a conference of the South African Musalmans at Lorance Marquis in November last and is glad to affiliate it to the All India Muslim Conference as desired by them.

3. The Executive Board of the All India Muslim Conference approves the decision of the Working Committee that a special session of the All India Muslim Conference be held at

such a central place as the Working Committee may consider suitable immediately after the publication of the Simon Commission Report in order to give adequate expression to the views of the Indian Musalmans regarding the scheme of constitutional reforms which may be acceptable to the Musalmans of India.

4. The Executive Board of the All India Muslim Conference welcomes the announcement by His Excellency the Viceroy regarding the holding of a Round Table Conference in London between the representatives of His Majesty's Government, British India and the Indian States. A large section of the Musalmans had regretfully come to the conclusion that the British nation did not desire freedom of India, and action on the principle that full responsible government should be achieved, if possible with the British connection and if necessary without it and having full confidence in the cause which Musalmans of India represent, advises the Musalmans not to close the door of negotiation and to accept the invitation to the proposed Round Table Conference. The Board trusts that the British Government are not unaware of the fact that no constitution will be acceptable to the Musalmans untill and unless adequate safeguards are provided for their rights [and] interests as laid down in the resolution unanimously adopted at the All India Muslim Conference held at Delhi under the presidency of His Highness the Aga Khan.

5. The Executive Board of the All India Muslim Conference places on record its emphatic condemnation of the system of electorates and the scheme of representation for the various communities in the provincial legislative councils and the central legislature as proposed by the majority of the Indian Central Committee. The Board regards that scheme as in the highest degree detrimental to the best interests of India, absolutely unjust to the Indian Musalmans and as prejudicial to the smooth working of the legislative machinery in the country.

6. The Executive Board of the All India Muslim Conference is amazed that while recognizing the fitness of the North-West Frontier Province for the introduction of a reformed legislative and administrative system, the majority of the Indian Central Committee have recommended the introduction only of the Minto-Morley Reforms in that province.

7. The Executive Board of the All India Muslim Conference views with grave concern the attitude of the British Government with reference to the due representation and protection of the Indian Musalmans in the forthcoming constitutional reforms, and in consequence advises the Musalmans to concentrate on constructive work, and to rely exclusively on their own organized efforts to secure for themselves their legitimate position in the constitutional and administrative machinery of a self-governing India.

8. The Executive Board of the All India Muslim Conference congratulates Afghanistan on successfully emerging out of its present troubles and is grateful to His Majesty Ghazi Muhammad Nadir Shah for having re-established a strong central government in Afghanistan.

Source:—*The Indian Annual Register 1930, Vol. I: January-June 1930*, pp. 346-347.

### 13. Muslim Conference Executive Board Resolutions

*New Delhi, 18 March 1930*

1. The Executive Board of the All India Muslim Conference welcomes the reunion brought about by the organizers and requests the All India Muslim League to join the All India Muslim Conference.

2. The Executive Board of the All India Muslim Conference is of the opinion that the Musalmans cannot take part in the civil disobedience movement of the Indian National Congress, as it is not really a movement for independence but a movement calculated to frighten the Government into accepting Dominion Status with the communal settlement embodied in the Nehru Report.

Source:—*The Indian Annual Register, 1930, Vol. I: January-June 1930*, pp. 347-348.

## 14. Muslim Conference Executive Board Resolutions

*Simla, 4-6 July 1930*

1. The report of the Simon Commission is as a whole unacceptable to us, because it falls short of our demands formulated by the All Parties Muslim Conference in Delhi and because it is retrograde and reactionary in spirit.

(a) While appreciating the recommendations of the Simon Commission that the future constitution of India should be on a federal basis, the election to provincial legislatures should be by a system of separate electorate and the provinces should have provincial autonomy, we are emphatically of the opinion that the minimum demands of the Muslim community as embodied in the resolution of the All Parties Muslim Conference at Delhi on January 1st, 1929, have not been met by the Commission.

(b) While reiterating these demands we have no hesitation in saying that elections to the Federal Assembly and the Council of State should be through separate electorates. While expressing no opinion at this stage whether election to either chamber of the central legislature should be by indirect or direct election, we are definitely opposed to the system of proportional representation as suggested by the Commission. We are emphatically of opinion that Muslims should be guaranteed the minimum of 33⅓ per cent seats, both in the Federal Assembly and the Council of State.

(c) If at any time the Muslims of a province decide by a plebiscite of two-thirds majority to do away with separate electorates they should be allowed to do so, the opposition of other communities to such should not prevent their abolition.

(d) Provincial autonomy should be real and should not be whittled down by the unlimited overriding powers of the Governors. All Ministers should be non-officials and should be elected, the Ministry being jointly responsible to the legislatures.

(e) Muslims must be guaranteed a majority in Bengal and the Punjab. While the Simon Commission have maintained the Hindu majority in six provinces, they have deprived the Muslims of Bengal and the Punjab of their majority.

(f) While agreeing with the Commission that there are strong reasons for the separation of Sind from Bombay, we are unable to agree with their suggestion that the question of immediate separation should be considered later. We are emphatically of the opinion that Sind should be separated from Bombay without further delay.

(g) While realizing that the Commission concede the grant of reforms to the North-West Frontier Province, we are strongly of the opinion that these proposals are entirely inadequate and the reasoning employed by the Commission is unsound. We are emphatically of the opinion that the North-West Frontier Province should have the same measure of reforms as is granted to other provinces of India.

(h) We are strongly of the opinion that Baluchistan should be guaranteed full provincial autonomy possessing the same powers as are enjoyed by other provinces.

(i) The Simon Commission has made no adequate provision for representation of Muslims in the public services of the country or cabinets of the provinces and in the centre. In our opinion it is essential to the stability and success of any constitution that may be framed that the Muslim community should be guaranteed adequate and effective representation in all cabinets and public services of the country and a provision to this effect must form part of the constitution.

(j) This meeting has noted with regret that the demand for representation of Muslims in all statutory self-governing bodies, such as local bodies, universities and other bodies created by law, and the proposals for protection of the education, culture, language and Muslim law and charitable endowments, have not even been discussed by the Commission in Volume II of their Report. We feel extreme disappointment at the failure of the Com-

mission to provide for effective guarantees for carrying out these safeguards. We are emphatically of the opinion that these safeguards should be a fundamental part of the constitution.

(k) We are unable to agree with the proposal of the Commission regarding the army. We are greatly disappointed at the failure of the Commission to make effective provision for speedy Indianization of the army and the establishment of an Indian Sandhurst. While we feel that the Commission have ignored the genuine aspirations of Indians of all parties on this subject, we are strongly of the opinion that in the scheme of Indianization of the army that may be proposed by any party an adequate and effective representation of Muslims in all grades of military service and other fighting forces, such as navy and air force, be guaranteed to them by law.

(l) We are strongly of the opinion that finance, commerce, railways, post and telegraphs, in the Central Government should be in the hands of Indian Ministers responsible to the Federal Assembly. We do not agree with the proposals of the Commission which confer powers on the Governor-General, as we believe they are inconsistent with a parliamentary form of government. We are strongly of opinion that the time has arrived when all subjects by common concern should be transferred to the central legislature, subject to safeguards in respect of army, foreign affairs and the Indian States for the transition period.

2. This meeting of the Executive Board accepts the invitation of the U.P. Muslim Conference and resolves that the next session of the All India Muslim Conference be held at Lucknow about the middle of August next. It further resolves that Maulana Muhammad Ali be elected president of the annual session.

3. This meeting of the Executive Board of the All India Muslim Conference, while reaffirming the resolution passed by the Executive Board of the All India Muslim Conference held on the 31st December, 1929, at Lahore, declares that the number of the Musalmans invited to the Round Table Conference should

not be less than one-third of the total number of the Indian Delegation.

4. The Executive Board of the All India Muslim Conference accepts the estimate of expenditure made by its subcommittee and resolves that Rs. 50,000 be immediately collected for the expenses of the All India Muslim Conference.

*Source:*—For resolutions 1 and 2, *The Indian Annual Register 1930, Vol. II: July-December 1930*, pp. 326-328; for resolutions 3 and 4. *The Main Resolutions of the All India Muslim Conference*, published by Muhammad Shafee Daoodi, Patna (Bihar and Orissa), Working Secretary, All India Muslim Conference, n.d. (? 1930) (printed at the Army Press, Simla), pp. 12-13.

## 15. Muslim Conference Presidential Address by Nawab Muhammad Ismail Khan

*Lucknow, November 1930*

The resolution of the first Delhi session of the Conference has since become the basic creed of the conference, and it undoubtedly represents today the most authoritative declaration of the Muslims of India of the principles on which they desire the future constitution of India to be formed and safeguarded which they consider should be provided in it for the protection of their rights and interests. It is alleged by some that this Conference has been set up in opposition to the All India Muslim League with a view to depriving this old institution of ours of its importance; while others maintain that it is the stronghold of reactionaries who, having lost ground in the Muslim League, have started it to keep alive their waning influence. There are not a few who declare that it is a pro-Government organization founded by its henchmen to emphasize communal differences. Such are some of the misrepresentations to which this Conference is being subjected. You know very well, gentlemen, that nothing can be further from truth than these mischievous and uncharitable allegations. This Conference duly met at Delhi and put forward only such demands as had the largest measure of agreement. The Conference achieved a success beyond all expectations and today the whole Muslim community with the exception of a handful of the so-called Muslim nationalists stand [*sic.*] solidly behind its

resolution. Mr Jinnah, who had not participated in the Conference, has subsequently, it is gratifying to observe, drawn up his fourteen points strictly in conformity with the basic principles of this resolution. It can, therefore, be safely declared that the Muslim community will not accept any settlement of constitutional and communal issues which is not in consonanace with the principles enunciated therein. It may well be termed as our irreducible minimum. I consider it only right and proper that at a time when the future constitution of India is in the making, if I declare emphatically and with all the authority of this Conference, that the Muslims will not acquiesce in any settlement in which our rights and interests are not secured in the manner we demand. To frame a democratic constitution purely on European models, without providing in it adequate and proper safeguards for the protection of minorities will lead to the establishment of ascendancy of the majority community, not because it has more numerous political adherents, but because the followers of its religious beliefs and tenets are preponderatingly larger in numbers, a condition wholly unkown to European polity. The safeguards which we have asked for have for their object the prevention of any arbitrary and unjustifiable exercise of power by a majority based purely on a particular religion. It is not our demand, and has never been, that unqualified and incompetent Muslims should secure employment simply because they are Muslims. Our demand, in the words of the resolution, is to give the Muslims their adequate share in all services having due regard to requirements of efficiency. Our experience of inequalities which exist in state services today has been so bitter that we are now compelled to ask for a statutory provision fixing our share in them.

The continuance of separate electorates is regarded by the Hindus as an appalling offence against nationalism and all their dialectical subtlety is employed in demolishing arguments in their favour. I may point out to them that the more strenuously they oppose this system of election, the more strenuously the Musalmans cling to it. Some eminent Muslim politicians, only a few years ago, courageously formulated proposals whereby separate electorates would have been done away with, and I may say that in framing those proposals they ran the risk of forfeiting the confidence of their community. But the Hindus

refused to take advantage of them by repudiating the condition on which the relinquishment of the right was dependent. Today the vast majority of the Musalmans will not in any way consent to the establishment of joint electorates, whether with or without the conditions.

I must sound a note of warning to [the] Government that if they continue to disregard the wishes of India by denying to the Frontier Province the same constitutional status and form of government with which other provinces are to be invested in pursuance of some imperial policy, they will be only inflaming the Musalmans and putting too great [a] strain on their loyalty. The policy to subjugate the tribes on the border has earned disapprobation of every Musalman. It was the desire of Indian Musalmans that their brethren in the Frontier Province should not resort to any precipitate action, but disappointments and disillusionments, which it has been their lot to suffer, have undoubtedly goaded them to desperation. We demand, gentlemen, that a committee of inquiry consisting of officials and non-officials be immediately set up not only to investigate solitary incidents, but to inquire into the causes of the whole trouble and suggest remedies for removing disaffection prevailing in that province. I trust [the] Government will adopt this course in its own interest. The Congress for years past had been standing up for the establishment of full and complete provincial autonomy. It is, therefore, rather surprising to observe that in recent years it has changed its views and now wants to set up a strong unitary government on the English model. We expect the gentlemen who have been selected by [the] Government to represent us at the London Conference to insist on the settlement of [the] Hindu-Muslim question in accordance with the resolution of this Conference.

A mere interpretation of the Balfour Declaration has caused such great perturbation among the Jews that they and their influential friends are engaged in bringing to bear their utmost pressure upon the Labour Government in England and rescind it. This interpretation of the Balfour Declaration, though it does not wholly satisfy our Arab brothers, yet as it definitely showed a change for the better in the angle of England's vision, was welcomed by them. But vehement agitation initiated by the Jews has again stiffened their attitude and they now declare that

nothing short of a withdrawal of this unhappy declaration will placate them. We wholeheartedly support their demand and desire to warn the British Government that any change or weakness on their part at the present moment would earn resentment of millions of Musalmans all the world over. Our demand is and has always been that England should throw up the mandate and let the Arab and the Jews settle their affairs as best as they can.

Source:—*The Indian Annual Register 1930, Vol. II: July-December 1930*, pp. 349-350.

## 16. Muslim Conference Resolutions

*Lucknow, 16 November 1930*

1. This Conference reaffirms the resolution passed at the All India Muslim Conference held under the presidency of His Highness the Aga Khan at Delhi on the 1st of January, 1929, and hopes that the Muslim delegates nominated by His Excellency the Viceroy, who are now sitting at the Round Table Conference, will abide by that resolution, and further declares clearly that no constitution agreed to by Muslim delegates in London will be acceptable to the Muslims of India unless it embodies the demands mentioned in that resolution.

2. This Conference appreciates the attitude of the Muslim delegates to the Round Table Conference in pressing the Muslim demands as formulated in the All India Muslim Conference on the 1st of January, 1929, and hopes that they will remain firm and united on this attitude as no future constitution of India will be successful without these safeguards.

3. This Conference, while conceding that the proposals of the Government of India contained in the despatch recently published are some improvement on the Simon recommendations, places on record that as a whole they fall short of the demands adumbrated by the Conference at Delhi on the 1st of January, 1929, and constitute the very minimum.

4. In the opinion of this Conference it is essential for the Muslim delegates to the Round Table Conference, before entering

into details of the future constitution, to obtain a settlement of the following cardinal principles:

(a) that the constitution be of a federal and centrifugal type,

(b) complete autonomy for the provinces,

(c) Muslim safeguards to form part of the constitution and not left over for conventions or instruments of instructions.

5. This Conference thinks that no preliminary negotiations about Dominion Status are permissible before the final settlement of these points.

Source:—*The Indian Annual Register, 1930, Vol. II: July-December 1930*, pp. 350-351.

## 17. Muslim Conference Working Committee Resolutions

*New Delhi, 7 February 1931*

1. The Working Committee of the All India Muslim Conference, while noting that the Premier's declaration concedes to a limited extent the demand of the people of this country for transfer of responsibility to Legislatures, yet, in view of this [*sic.*] suggested safeguards and reservations of some vital subjects to the control of the Governor General for indefinite period, is unable to accord its approval and support to the said declaration, until specific proposals are framed for giving effect to it.

2. The federal structure as evolved at the Round Table Conference is, in important respects, at variance with the federal form of government demanded in the Delhi resolution of the Conference and is therefore unacceptable to this Committee.

3. The Working Committee records its profound disappointment at the failure of the Round Table Conference to find equitable and just settlement of the Hindu-Muslim question and expresses, with all the force at its command, that no constitutional structure, however plausible, will appeal to Musalmans unless their interests and rights are adequately and effectively safeguarded therein.

4. The Working Committee expresses its strong dissatisfaction with the speech, recently made by the Premier in the House of Commons in which he treated the demands of Muslims for separate electorate in flippant and offensive manner, thus showing that he had failed to appreciate the reasons which constrains [*sic.*] the Muslims to insist on this demand.

5. That having regard to facts that the Muslim demands have been conceded by the Hindus and not by Government the Working Committee calls upon Musalmans to forthwith organize themselves and be prepared to resort to any action deemed necessary for expressing their just demands.

6. That in view of the momentous issues that confront the community, the Working Committee is strongly of opinion that a special session of the Conference be convened at an early date to decide the line of action to be pursued by Muslims for giving effective weight to their voice in the framing of the constitution and asks the executive board to make the necessary arrangements for it.

Source:—*The Indian Annual Register 1931, Vol. I: January-June 1931*, p. 283.

## 18. Muslim Conference (Special Session) Presidential Address by Maulana Shaukat Ali

*Delhi, 5 April 1931*

In his presidential address Mr. Shaukat Ali regretted the absence of their permanent president, the Aga Khan, who had been serving Islam and India selflessly at the Round Table Conference. Referring to the death of Muhammad Ali, he said 'I had watched him grow from a child to a man and took pride when he eventually became my guide and leader. He has gone from us, but has left us a noble legacy, and we have no time in these critical times to waste our energies in useless mourning. His brave death far off from home in the cause of Islam and India should stir us to shake off our lethargy.' Mr. Shaukat Ali referred next to the need for uniting their scattered forces. They had too many separate organizations. In his opinion the All India Muslim Conference should come forward as a working

body calling upon all other organizations to give it wholehearted support in all its endeavours.

The speaker then dwelt on the part played by the Muslims in building up the national movement, and said that Muslims need not be ashamed of the part they had played in the building of a true national movement in India. There was, however, no doubt that while many of them were really at present communalists at heart; and if there were no real change of heart there was a great danger of civil war in the country. No sectional movement, howsoever well organized, could bring them near their goal. They had clearly seen the results of this in what had happened at Benares, Mirzapur, Agra, Allahabad and Cawnpore. Neither the Hindus nor the Muslims would tolerate any bullying or compulsion.

Mr. Gandhi had started the civil disobedience movement without the consent, and in spite of the protests, of his Muslim-co-workers and an overwhelming majority of Muslims in India. If their advice had been accepted and a Hindu-Muslim settlement had been brought about, they would have gained ever so much more, and India would have been spared the ugly and unfortunate scenes that they were seeing today. England herself had made a move for peace and the Hindus' and Muslims' united demand could never have been refused.

Mr. Shaukat Ali next referred to participation in the Round Table Conference and said : 'Mr. Muhammad Ali and I were really glad that we went to England. Our efforts have borne much better results than we expected. We made every Englishman and Englishwoman realize the changed conditions in India and the extent to which we had advanced, and that if our national aspirations were not satisfied then trouble was inevitable. The Muslim case had always suffered for want of proper enlightenment from the platform and the Press, and for the first time Hindus and Muslims put their cases before the Conference. Everyone realized that the Muslims were not as black as they were painted, that they were justified in demanding safeguards and that they had not been dealt with in a fair and just spirit.'

Mr. Shaukat Ali said that it was a pity that his repeated requests to hold a round table conference in India for settling Hindu-Muslim questions were not accepted. He had every hope,

however, that the Hindus would now realize the seriousness of the situation and would accept their demands, which were in no way unfair to the Hindus. Mr. Shaukat Ali then defined the demands. He said there were four parties to the settlement of the problem. The first was the British people who must transfer power to the Indian people, and Indians wished to live at peace with the British. The second party was the Indian States. Their experience of administration would prove very useful, and would supply the stabilizing element in the future Government of Federated India with the provinces and the States. The Muslims were the third party, whose confidence and goodwill must be gained; and the Hindus were the majority party on whose good sense and reasonableness and wisdom depended a good deal.

'No one should forget', he said, 'that we ruled in India for over 850 years, and on the whole I think we ruled well. Others may try to belittle this fact, but I beg my Muslim brethren not to do so. We have got to rouse ourselves to realize that our future must be worthy of our past. England has offered us the hand of peace, and we should willingly grasp it.'

Continuing Mr. Shaukat Ali said: 'Let the Indian States, the Hindus and Muslims put their heads together and draw up a united demand, and then present it to the British people, who, I am sure, would never refuse it. When we are working for peace there should be no talk of threats and rebellion. In fact the British people are willing to satisfy 80 per cent of our demands at once, and the rest will follow in the next ten years if not earlier. Let us not quarrel over small things, and try to win the confidence of the British people, who are a little unnecessarily nervous about the future of India.'

Referring to the North-West Frontier Province he begged the officials of the Province to stop thier 'insane policy of repression'. The best policy was to have friendly relations with King Nadir Shah and treat the Afghans across the border and in the Province with courtesy and consideration. They were better fitted for complete freedom than the people of any other province in India.

Mr. Shaukat Ali next referred to the riots at Benares, Mirzapore, Agra, Allahabad and Cawnpore, and said that if they did not take immediate steps, the country might be plunged into civil

war. He urged Muslims to organize themselves all over the country. They must learn to defend themselves as best as they could, and stand on their own legs. Their leadership was very poor and they were apt to quarrel over personal honours and benefits, and disregard the sacred duty of serving their weaker brothers. Rich Muslims were not doing their duty. There was urgent need for funds.

Referring to Mr. Jinnah's fourteen points, the speaker said that they stood by them today. Mr. Muhammad Ali had just before his death drafted a memorandum regarding the Hindu-Muslim problem, which solution ought to satisfy everybody. The two documents were before the Conference.

The Muslims without any outside pressure decided in March 1927 to give up their cherished right of separate electorates in favour of a joint electorate, but the unfortunate mentality shown by their Hindu co-workers in disregarding the Madras Congress resolution created bad blood. Today it was absolutely impossible to make any big section of Musalmans agree to an unconditional joint electorate.

Mr. Shaukat Ali next referred to what he described as the 'greater Muslim world outside, and the wonderful awakening among the brave and gifted Arab race'. Their invitation for the burial of Mr. Muhammad Ali was proof of their high respect and affection for the Muslims of India and appreciation of their services to Islam and Muslim lands.

Concluding Mr. Shaukat Ali said: 'I was glad to notice the new feeling among the British people of winning the goodwill of Muslims in general. I beg you to accept the hand of peace when it is formally offered, just in the same way as we will grasp the hand of our Hindu brethren when by accepting our demands they show us their goodwill, and the change of heart which we are expecting.'

Source:—*Civil and Military Gazette*, Lahore, 8 April 1931.

### 19. Muslim Conference Resolutions

*New Delhi, 5 April 1931*

1. This Conference deplores the wanton aggressiveness of the Hindus, culminating in the riots at Benares, Agra, Mirzapore,

Cawnpore and elsewhere, accompanied with brutal and callous murders of innocent and defenceless Muslims, including women and children.

This Conference is convinced that the so-called non-violence of the Congress Satygrahis, consisting in many cases of students of colleges and schools, is mere sham, but little short of an unclean political strategem adopted in the face of the superior organized force of the State and cast off in dealings between communities.

This Conference is of opinion that a continuance of this attitude of the majority community will lead to a state of civil war in India and warns the Governments in England and this country that their spineless handling of the situation due to their continued pandering to the Congress will create a condition of things in India which will spell the complete ruin of this unfortunate country.

2. This Conference, while approving of the recommendations of the Federal Structure Sub-committee that the future constitution of India should take the form of a federation of autonomous units, reiterates the demand already made of [*sic.*] the All India Muslim Conference that the autonomy of constituent units should be complete, residual powers being vested in the constituent elements, and insists that in this respect there shall be no difference between the various units constituting the All India Federation.

3. This Conference approves of the decision of the Round Table Conference that Sind be separated from the Bombay Presidency and constituted into a separate Governor's province and demands that such separation should take effect prior to or simultaneously with the inauguration of the new constitution, the financial adjustments being so arranged as to make the provision of sufficient resources for development.

4. This Conference regrets that the constitution outlined at the Round Table Conference for the five settled districts of the North-West Frontier Province falls short of the Muslim demand and does not concede to that province the same measure of legislative and administrative responsibility as is proposed for the other British Indian provinces and insists that the new

constitution for that province should be identical with that of the other provinces of British India.

6. This Conference deplores the fact that the Round Table Conference ignored the question of reforms for Baluchistan despite the repeated demands made in that behalf by representative Muslim organizations.

7. This Conference is emphatically of opinion that all transfer of power shall be from Parliament to the provinces, and that no subject shall be made federal without the previous and mutual consent of the autonomous units.

8. This Conference reiterates the demands made by the All India Muslim Conference that (a) the Muslim community should have 33⅓ per cent representation in the Federal Legislature, (b) the weightage at present enjoyed by the Muslim community in the provinces in which it is a minority be maintained, similar weightage being given to other minorities in Sind, the North-West Frontier Province and Baluchistan, (c) the small Muslim majority in the Punjab and Bengal shall in no way be impaired in relation to their representation to the legislatures.

9. This Conference is emphatically of opinion that in the existing conditions the right enjoyed by the Muslim community according to the law of the land of representation in the central and provincial legislatures through their own separate electorate be maintained.

10. This Conference is of opinion that the franchise for the provincial legislature be widened so that the portions of the various communities in population. [*sic.*]

11. This Conference endorses the proposal embodied in para 3 of the Round Table Conference Minorities Committee's report, that the future Indian constitution must include a declaration of fundamental rights safeguarding the cultural and religious life of the various communities and secure to every individual, without distinction as to caste, race, creed and sex, the free exercise of their economic, social and civil rights. This Conference further emphasizes the necessity of including in the constitution a sanction for the enforcement of fundamental rights, including the right to redress when they are violated.

12. This Conference reiterates its demand that no bill, resolution, motion or amendment regarding inter-communal

matters shall be discussed or passed in any legislature if a three-fourth majority of members of the Muslim community in that legislature oppose the introduction, discussion or passing of such a bill, resolution or amendment.

13. This Conference is emphatically of opinion that Muslim interests should be adequately recognized in the formation of the federal and provincial executives, an obligation to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor-General and the provincial Governors.

14. This Conference reiterates its demand that a provision should be made in the constitution giving Muslims their adequate share in all services of the State, whether federal or provincial, having due regard to the requirements of efficiency.

15. This Conference considers it essential that no changes in the Indian constitution after its inauguration be made by the Federal Legislature except with the concurrence of all the States constituting the Federation.

Source:—*The Indian Annual Register 1931, Vol. I: January-June 1931*, pp. 287-288.

## 20. Muslim Conference Working Committee Resolution

*Lahore, 25 May 1931*

The Working Committee of the All India Muslim Conference calls upon the Muhammadan members of the Round Table Conference to refuse to agree to the introduction of responsibility in the centre unless and until the minimum demands as embodied in our resolution of last Easter have been conceded.

Source:—*Civil and Military Gazette*, Lahore, 27 May, 1931.

## 21. Muslim Conference Secretary's Statement on negotiations with Nationalist Muslims' Ansari Party

*Simla, 23 June 1931*

A meeting of the Working Committee of the All India Muslim Conference was held in Simla on June 21, 1931. After

two days' discussion the following resolution was unanimously passed:

> 'Whereas the proposal formulated by the Working Committee of the All India Muslim Conference on May 24,1931, with a view to removing the differences, relating to the methods of election to the legislatures existing between the Muslim Conference and Muslim Congressmen, has been rejected by the latter; and whereas no counter-proposal has been communicated to this Committee by them; the Working Committee of the All India Muslim Conference regretfully resolves finally to close the conversations.'

Since, according to this resolution, the conversations which began with the Bhopal Conference on May 10 and 11, at Bhopal have finally come to an end, I have been authorized by the Working Committee of the All India Muslim Conference to place all the facts relating to these conversations before the public.

The Nawab of Bhopal invited the following gentlemen to Bhopal: Mr. Shaukat Ali, Mian Sir Muhammad Shafi, Dr. Sir Muhammad Iqbal, Nawab Muhammad Ismail Khan, Dr. Ansari and Mr. Sherwani.

In the formal conversations that continued there for two days, various proposals to reconcile the opposing views on the question of electorates were put forward by the gentlemen present, and it was decided that these proposals should be placed by the gentlemen taking part in the conversations before their respective organizations for discussion and decision.

In accordance with this understanding, a meeting of the Working Committee of the All India Muslim Conference was convened at Lahore, and it met there on May 24, last, to consider the proposals made at the Bhopal Conference.

It may be observed that the choice of the Committee was determined by three considerations:

(1) That the proposal should be one which was not opposed to the resolution of the All India Muslim Conference of April 5.

(2) That it should be one which would be likely to be acceptable to the other side.

(3) That it should leave the final decision of the question to the Muslims whose interests both sides profess to have in view.

Consequently the Working Committee unanimously adopted the following formula :

'The electoral scheme under the new constitution should be framed on the basis of separate electorates, and, if before the expiry of the life of any legislature, a majority of the Muslim elected members of that legislature demand that a referendum be taken on the question of joint *versus* separate electorates, or if ten per cent of the electors on the Muslim electoral roll of any province so desire, a referendum shall be taken on that question.'

It is obvious that the above formula is not opposed to the Conference resolution, nor should Muslim Congressmen have found any difficulty in accepting it in the absence of adult suffrage, on which their whole scheme of joint electorates is built up. It leaves the ultimate decision of the question in the hands of the Musalmans themselves. A slight alteration was made in it in order to bring it in conformity with constitutional practice and usage.

The formula was forwarded to the Nawab of Bhopal and also to Dr. Ansari by the Secretary. The Secretary was informed later that the formula of the Working Committee was not acceptable to Muslim Congressmen.

When the Working Committee met in Simla on June 21, this information was placed before the Committee, and it learnt with regret and surprise that its Lahore proposal was turned down by the Muslim Congressmen, and they did not even inform the Committee which of the formulae, if any, evolved at Bhopal was acceptable to them.

At this stage it was brought to the notice of the Working Committee by Mr. Shaukat Ali that on his inquiring from the Nawab of Bhopal whether the Muslim National Party had come to any conclusion, he was informed by the Nawab that the following two proposals had been discussed by them, and that the first one was probably acceptable to them, but on Mr. Shaukat Ali's asking about the second, he was informed that it too would not be barred from discussion :

(1) First five years separate electorates; after that joint elecorates with Mr. Muhammad Ali's formula. It will, however, be open to Muslim members of any legislature by a sixty per cent majority [*sic.*].

(2) First ten years separate electorates; after that joint electorates, unless the Muslim members of any legislature by a two-thirds majority vote against the introduction of joint electorates.

The Working Committee, though not formally possessed of these proposals, considered them, but was unable to agree to any of them mainly because they introduced joint electorates and because they were inconsistent with the spirit of the resolution passed by the All India Muslim Conference on April 5, 1931, and thus there being no other proposals, the Working Committee had regretfully to close the conversations begun at Bhopal in May last.

Source:—*Civil and Military Gazette*, Lahore, 25 June 1931.

## 22. Muslim Conference Executive Board Resolutions

*Allahabad, 9 July 1931*

1. Whereas the formula devised by the Working Committee of the Congress for the purpose of communal settlement seeks to deprive the Indian Musalmans of the right of electing their own representatives to the central and provincial legislatures through separate electorates which they enjoy under the existing law, in disregard of the strong views of an overwhelming majority of the Musalmans of India, and

Whereas the formula in question does not secure majority to the Musalmans in those provinces (*viz*., the Punjab and Bengal) where they are in a majority, and

Whereas the formula entirely ignores the unanimous demand of the Indian Musalmans for a 33⅓ per cent representation in the Central Legislature, and

Whereas the formula in question seeks to deprive the Muslims in the provinces in which they constitute a minority in the population of the weightage they enjoy at present and the

continued enjoyment of which is essential for the protection of their vital interests, the so-called privilege of contesting additional seats being in no way a substitute for that weightage on account of the overwhelming character of the non-Muslim majorities in those provinces, and

Whereas Clause 1 (c) of this formula proposes to invest the Central Government, with its permanent and unalterable Hindu majority, with jurisdiction over provinces ostensibly for the protection of the minorities but which in fact would place even the Muslim majorities in five provinces at the mercy of the Central Government, and

Whereas the apparent recognition in the formula of the right of the constituent units of the proposed all-India Federation to have residuary rights vested in them is qualified by a condition which makes that recognition unreal as well as changeable, and

Whereas the formula does not in explicit terms recognize the right of the Indian Musalmans to their legitimate share in the central cabinet as well as in the cabinets of the provinces in which they constitute a minority of the population, which right has already been recognized at the Round Table Conference in London, and

Whereas the question of separation of Sind from the Bombay Presidency and its constitution into a separate province has already been agreed to, yet the Congress has made it an open question and subjected it to conditions which will make separation almost impossible, and

Whereas no proper and adequate safeguards have been devised for the protection of personal laws, religion and religious rites and cultural autonomy besides a mere declaration to the effect, and

Whereas the Congress formula whittles down the Muslim demands with regard to the recruitment of public services in the country;

The Executive Board of the All India Muslim Conference unhesitatingly declares that the said resolution is not and cannot be acceptable to the Musalmans of India.

2. Whereas the Indian National Congress has been conceded the right to nominate its own delegates to the Round Table

Conference and the All India Muslim Conference has been denied a similar privilege, and

Whereas the nomination to the Round Table Conference of one of the members of the Nationalist Muslim Party, which is but a part and parcel of the Congress and is in no way the representative of Muslim India, has been made with a view to break [*sic.*] up the solidarity of the Muslim delegates to the Round Table Conference, and

Whereas the pronouncement of the Prime Minister has created an impression that the attitude of the British Cabinet is unsympathetic towards the Muslim demands, and

Whereas the convening of the Federal Structure Committee before the Minorities Committee is detrimental to the interests of all the minorities and against the recognized canons of constitutional usage, and

Whereas for the foregoing reasons it would be inadvisable for the Muslims to entirely pin their faith on the Round Table Conference for an equitable settlement of their legitimate demands;

The Executive Board of the All India Muslim Conference calls upon the Muslims to organize themselves so that they may be prepared to make all sacrifices and adopt all necessary methods for the enforcement of their demands.

3. The Executive Board of the All India Muslim Conference urges upon the Muslim members of the Round Table Conference to insist that the Minorities Committee should meet before the Federal Structure Committee, and if this demand is not acceded to, then to abstain from participation in the resumption of the work of the Federal Structure Committee.

4. The Executive Board of the All India Muslim Conference regrets that His Highness the Maharaja Bahadur of Kashmir has not given consideration to the representation made by the Secretary on behalf of the Working Committee, and it approves the formation of the All India Kashmir Committee for the purpose of protecting the rights and interests of the Musalmans of Kashmir and is prepared to extend support to that Committee and appoints Maulana Hasrat Mohani, M. Mazhar-ud-Din, Maulana Abdul Hamid, Shah Maswood Ahmad,

Syed Zakir Ali, Maulvi Karam Ali and Maulana Abdus Samad Muqtedari to co-operate and help the Kashmir Committee in its work and requests the Committee not to arrive at any decisions without consulting the above persons.

5. The Executive Board of the All India Muslim Conference accepts the invitation of Maulvi Maswood Ahmad on behalf of the Bihar Provincial Conference to hold its annual session at Patna under the presidentship of Maulana Hasrat Mohani.

Source:—*The Indian Annual Register 1931, Vol. II: July-December, 1931* pp. 222-224.

### 23. Muslim Conference Working Committee Resolutions

*Simla, 13 September 1931*

1. Unless communal differences are amicably settled, responsibility at the Centre will be a great danger to the healthy development and growth of provincial autonomy.

2. The Committee drew the attention of the Muslim members of the Federal Structure Sub-Committee to the resolutions of the Executive Council, passed at Allahabad on August 9, last, urging abstention from any discussion on federal constitution unless the minorities problems were settled first to the satisfaction of Muslim India.

3. While hoping that the Indian members of the Round Table Conference could succeed in solving the communal problem, the Committee asked the Muslim delegates to keep in view the Delhi demands when arriving at a settlement with the Government or non-Muslims, and also that no settlement in contravention of those demands would be acceptable to the Muslim community.

4. Dissatisfaction with the recommendations of the Frontier Committee was expressed and the Committee demanded for the North-West Frontier Province a status exactly similar to that of other provinces of India in the proposed federation.

5. While not accepting the figures given by the Debt Sub-Committee of the Congress Working Committee, the Com-

mittee was of the opinion that the principle of re-distribution of debt should be followed in the case of Sind as well. Interest charges on productive debts should be borne by the Government of India until the schemes for which they were incurred became self-supporting.

6. Sind should be separated simultaneously with the inauguration of the new constitution of India.

7. The Committee regretted the way in which Muslims had been ruthlessly thrown out of employment, and it urged that no Muslim should be discharged until the representation of the community in the services was fair and adequate, as the preponderance of one community was opposed to the fundamental principle of the Government in regard to this.

8. The Committee drew the attention of the Maharaja of Kashmir to the wretched condition of his subjects, and expressed the opinion that permanent peace in Kashmir could only be achieved by the grant of a constitution on modern democratic lines.

Source:—*Civil and Military Gazette*, Lahore, 16 September 1931.

## 24. Muslim Conference Working Committee Resolutions

*Delhi, 20 November 1931*

1. This Committee considers that the participation of the Muslim members in the proceedings of the Federal Structure Sub-Committee before a satisfactory solution of the communal question has been reached is inconsistent with the directions of this Conference, and warns the Muslim members that this Committee will refuse to share the responsibility for any conclusions that may be reached on the subjects on which the Muslim Conference has expressed no definite view.

2. While appreciating the efforts of the Muslim delegation to arrive at an agreement with their fellow-delegates and efforts for co-operating and combining with all minorities except the Sikhs, the Working Committee hereby declares that the representation of Muslims in the Punjab and Bengal legislatures should

not have been reduced so low as 51 per cent and that their representation should be on the [*sic.*] population basis.

3. The Working Committee of the Conference holds that the Provincial Legislature of the Frontier Province should be entirely elected and its Ministry should have the same powers and responsibilities as the Ministries of other Provinces.

4. The Muslims of India demand that Sind should be separated unconditionally, and the Working Committee is not convinced of the soundness of the conclusions of the Sind Financial Inquiry Committee, because it did not consider the proposals for expenditure on a separate administration suited to the needs of the finances of a new province.

5. The Committee tenders its heartfelt sympathy to the poor defenceless Muslims of Kashmir on whom untold atrocities and indignities have been committed by the Kashmir Government, and greatly appreciates their noble sacrifices in their fearless fight for their rights. The meeting also applauds the praiseworthy efforts of the Muslims of the Punjab in coming forward to help their brethren in Kashmir.

This meeting, while taking note of the recent announcement of the Maharaja, trusts that full effect will be given to it and the grievances and complaints of His Highness's subjects will be fully redressed. It further declares that until the grievances of Kashmir Muslims are removed, unrest among the Muslims of India will continue unabated. The Committee warns the Government of India that it will hold the Government responsible if the Muslims of Kashmir, in present disturbed conditions, are again placed at the mercy of [the] dogras.

The Committee demands the immediate withdrawal of the Kashmir Ordinance and the release of persons arrested under the Ordinance. The Committee is further convinced that so long as the operation of the Ordinance continues, there is no possibility of any compromise being arrived at between the Muslims of the Punjab and the Government. It, therefore, earnestly appeals to the Government to take timely steps to pu a stop to further agitation on the question.

Source: *Civil and Military Gazette*, Lahore, 22 November 1931.

## 25. Muslim Conference Working Committee Resolution

*New Delhi, 5 March 1932*

Whereas the Government has not yet accepted the Muslim demands embodied in a resolution of the All India Muslim Conference passed in January 1929, and reiterated in Delhi in April 1931, this Committee is of opinion that the time has now come when the community should reconsider its attitude regarding co-operation with the Round Table Conference and the committees set up by it, and recommends the next session at Lahore to consider and come to a final decision on the following resolution:

Whereas the minimum demands formulated by the All India Muslim Conference and reiterated in April have not been accepted either by the majority community or the British Government, and whereas it is the declared policy of the Conference not to be a party to framing a constitution for India unless the aforesaid demands are met, the Working Committee call upon the Muslim members of the Round Table Conference and various committees set up by it to refuse to serve on them unless the British Government announces the acceptance of the said demands. It further advises the Muslims to abstain from appearing before these committees as witnesses or co-operating with them in any way.

Source:—*Civil and Military Gazette*, Lahore, 7 March 1932.

## 26. Muslim Conference Presidential Address by Mohammad Iqbal

*Lahore, 21 March 1932*

*Gentlemen:*

The Muslims of India have listened to so many addresses from their political platforms that the more impatient of them have already begun to suspect our deliberations which, they think, tend to enfeeble, and eventually to kill, the spirit of action that lies dormant in the heart of Islam. 'The present situation in the country', said one of them, 'whets our appetite

for action; and if our leaders fail to point to a definite course of action suitable to the peculiar position of the Indian Muslims, the sheer force of imitation will do its work, and make our youth thoughtlessly plunge into the stream of events.' 'Action', said another with characteristic youthful impatience, 'does not need a previously thought out plan; it is not subject to the logic of schools, but develops its own peculiar logic as it emerges out of the heart of man into open space.' Such is the present psychology of our youth. I am grateful to you for the confidence you have placed in me at this critical moment; but I certainly cannot congratulate you on your choice of a man who is nothing more than a visionary idealist. Perhaps you think you need a visionary at this juncture; for where there is no vision the people perish. Perhaps you think I am better equipped for the presidential chair of this assembly after my experience at the London Conference. To reveal an ideal freed from its temporal limitations is one function; to show the way how ideals can be transformed into living actualities is quite another. If a man is temperamentally fit for the former function his task is comparatively easy, for it involves a clean jump over temporal limitations which waylay the practical politician at every step. The man who has got the courage to migrate from the former to the latter function has constantly to take stock of, and often yield to, the force of those very limitations which he has been in the habit of ignoring. Such a man has the misfortune of living in the midst of perpetual mental conflict and can be easily accused of self-contradiction. However, I gladly accept the difficult position in which you have placed me, not because I consider myself fit for that position, but because the issues have fortunately become so clear that the whole thing now depends not so much on the guidance of one particular individual as on the force of all the individual wills focussed on a single purpose.

Politics have their roots in the spiritual life of man. It is my belief that Islam is not a matter of private opinion. It is a society, or, if you like, a civic church. It is because present-day political ideals, as they appear to be shaping themselves in India, may affect its original structure and character that I find myself interested in politics. I am opposed to nationalism as it is understood in Europe, not because, if it is allowed to develop in India, it is likely to bring less material gain to Muslims. I am opposed

to it because I see in it the germs of atheistic materialism which I look upon as the greatest danger to modern humanity. Patriotism is a perfectly natural virtue and has a place in the moral life of man. Yet that which really matters is a man's faith, his culture, his historical tradition. These are the things which, in my eyes, are worth living for and dying for, and not the piece of earth with which the spirit of man happens to be temporarily associated. In view of the visible and invisible points of contact between the various communities of India, I do believe in the possibility of constructing a harmonious whole whose unity cannot be distrubed by the rich diversity which it must carry within its bosom. The problem of ancient Indian thought was how the one became many without sacrificing its oneness. Today this problem has come down from its ethical heights to the grosser plane of our political life, and we have to solve it in its reversed form, *i.e.*, how the many can become one without sacrificing its plural character. In so far then as the fundamentals of our policy are concerned, I have got nothing fresh to offer. Regarding these I have already expressed my views in my address to the All India Muslim League. In the present address, I propose, among other things, to help you, in the first place, in arriving at a correct view of the situation as it emerged from a rather hesitating behaviour of our delegation at the final stages of the deliberations of the Round Table Conference. In the second place, I shall try, according to my lights, to show how far it is desirable to construct a fresh policy now that the Premier's announcement at the last London Conference has again necessitated a careful survey of the whole situation. Let me begin with a brief history of the work of our delegation.

The first two meetings of the Minorities Committee were held on the 28th of September and the 1st of October, 1931, respectively. On both occasions the meeting was adjourned for a private settlement of the communal problem. Mahatma Gandhi first told the Muslim delegation that matters could not proceed until the Muslim delegation had lifted the embargo on Dr. Ansari. Failing in this, he gave the Muslim delegation to understand that he would personally agree to Muslim demands and would try to persuade the Congress, the Hindus and the Sikhs to agree to them, provided the Muslims agreed to three things: (i) adult suffrage; (ii) no special representation for the

Untouchables; and (iii) Congress demand for complete independence. The Mahatma declined to refer the matter to the Congress and failed in his efforts to get the Hindus and the Sikhs to agree to this arrangement. On the 7th of October, two prominent Hindu leaders proposed that the whole matter might be referred to a board of seven arbitrators. This too was rejected by Hindu and Sikh representatives. On the 8th, the Minorities Committee met for the third time. In this meeting Mahatma Gandhi set to the account of the British Government his failure to bring about a communal settlement, since, according to him, they had deliberately chosen for the British Indian delegation men who, as he said, had no representative character. On behalf of the Muslim delegation, the late Sir Muhammad Shafi refuted the Mahatma's uncalled for remarks questioning the unrepresentative character of the various delegations, and opposed the proposals put forward by him. The meeting came to an end, and, owing to the British general elections, could not meet till the 12th of November. In the meantime, private conversations commenced on the 15th October. A prominent feature of these conversations was Sir Geoffrey Corbett's scheme relating to the Punjab. This scheme, very similar to the one I had suggested in my address to the All India Muslim League, proposed the adoption of joint electorates with the exclusion of the Ambala Division from the Punjab. It, too, was rejected by Sikh and Hindu representatives who could not tolerate a Muslim majority in the Punjab even with a system of joint electorates. These conversations also remained fruitless. The representatives of the Indian minorities, which constitute nearly half of India, began to consult one another on the possibility of an Indian Minorities Pact. On the 12th of November all these minorities, with the exception of Sikhs, signed a pact, which was formally handed over to the British Premier in the last meeting of the Minorities Committee held on the 13th of November.

This brief account of our informal conversations speaks for itself. It is obvious that our delegates did their best to arrive at a communal settlement. The only thing which is a mystery to me, and which will perhaps ever remain a mystery, is the declaration made on the 26th of November by our spokesmen in the Federal Structure Committee to the effect that they agreed to the simultaneous introduction of provincial autonomy and central responsi-

bility. Whether this was due to their anxiety for conciliation and political advance of the country, or to some conflicting influences which operated on their minds, I cannot say. On the 15th of November, the day on which I dissociated from our delegation, Muslim delegates had decided not to participate in the discussions of the Federal Structure Committee. Why did they participate then in these discussions contrary to their own decision? Were our spokesmen on the Federal Structure Committee authorized to make the declaration of 26th November? I am not in a position to answer these questions. All that I can say is that the Muslim community considers the declaration a very grave error, and I have no doubt that this Conference will give an emphatic expression to their views on this important matter. In my address to the All India Muslim League, I raised my voice against the idea of an all-India federation. Subsequent events have shown that it is working only as a drag on the political advance of India. If the introduction of central responsibility is dependent on the completion of an all-India federation, which I fear will take a fairly long time, then the Government should immediately introduce responsible government in the British Indian provinces, so that the foundation thus delienated may, till the coming of central responsibility, fully prepare itself by experience to bear the weight of the federal superstructure. A great deal of spade-work is needed before we acn have a really modern federal state.

I have reason to believe, and had suspected this some days before I dissociated myself from our delegation, that our spokesmen were badly advised by certain English politicians in rejecting the immediate introduction of responsible government in the provinces of British India. Recently Lieutenant-Commander Kenworthy has expressed the same view. He says: 'I understand that the moderate leaders in London were badly advised on this matter by certain English politicians, that they listened too readily to their advice and rejected the great instalment of provincial autonomy. And the curious thing is that the Mahatma was apparently ready to consider this instalment sympathetically.' Who are the moderate leaders alluded to by the Lieutenant-Commander? In view of the attitude taken by Sir Tej Bahadur Sapru in London, and now in the Consultative Committee, regarding the immediate introduction of provincial

autonomy, it is obvious that the writer of the passage quoted could not have meant Hindu Liberals. I think he probably means Muslim moderate leaders whose declaration in the Federal Structure Committee on the 26th of November seems to me to be really responsible for the British Premier's announcement regarding the simultaneous introduction of central and provincial responsibility. And since immediate introduction of responsible government in the provinces would have involved a definite announcement regarding the demands of our community as to majority rights in the Punjab and Bengal, we must not forget, while judging the present situation, that the conduct of our own leaders is mainly responsible for the British Premier's silence, which has raised all sorts of suspicions in the mind of the Muslim community.

The next question is to explore the possibilities of shaping, if necessary, a new policy after the disappointing announcement made by the British Premier at the close of the last London Conference. Muslims have naturally grown apprehensive of Government's attitude towards the problem of communal settlement. They suspect that the Government will purchase Congress co-operation at any cost, and that its delay in conceding Muslim demands is only a cover for the possibility of finding some basis for negotiations with that body. The policy of trusting the Government in regard to political issues seems to be rapidly losing its hold on the mind of the community. The Franchise Committee has postponed consideration of matters relating to the formation of constituencies. As for the promised provincial settlement, it is obvious that no communal settlement, provisional or permanent, can satisfy the Muslim community, which does not recognize, as its basic principle, the right of the community to enjoy majority rights in provinces where it happens to be in actual majority. The continuance of separate electorates and the status of the Frontier Province are no doubt assured, but complete provincial autonomy, transfer of power from Parliament to Indian provinces, equality of federal units, classification of subjects not into federal, central and provincial, but into federal and provincial only, majority rights in the Punjab and Bengal, unconditional separation of Sind, and one-third share in the centre, constitute no less essential elements of our demand. The Premier's silence on these points has only

resulted in the unsound policy of war with the Congress and no peace with the rest of the country. Shall we join the Congress in their present campaign? My answer without a moment's hesitation is 'No'. A careful reading of the underlying motives of this movement will make it perfectly clear.

To my mind this movement has its roots in fear and resentment. The Congress leaders claim that they are the sole representatives of the peoples of India. The last Round Table Conference made it abundantly clear that they were not. This they naturally *resent*. They know that the British people and the rest of the world now fully realize the importance of communal settlement in India. They further know that the minorities of India have arrived at a pact, and that the British Government have given a notice to enforce a provisional settlement of their own, in case the Indians themselves failed to arrive at one. The Congress leaders *fear* that the British Government in their provisional settlement of the communal problem may concede to the minorities what they demand. They have, therefore, started the present campaign to bolster up a claim which has no foundation in fact, to defeat a pact which, they fear, may find a place in the coming constitution, and to force the Government to settle the matter of minorities with the Congress alone. The Congress resolution in pursuance of which the civil disobedience campaign was launched made it perfectly clear that since [the] Government had refused to regard Mahatma Gandhi as the sole representative of the country, the Congress decided on civil disobedience. How can then a minority join a campaign which is directed as much against itself as against [the] Government?

In these circumstances, therefore, to join the Congress in their present campaign is simply out of the question. But there is no denying that at the moment you are called upon to make important decisions. I am sure you are fully aware of the present state of the community's mind. Government's delay in conceding Muslim demands and the treatment meted out to our brave Frontier brethren on the eve of the constitutional reform in their province are making Indian Muslims suspicious of British methods; and most people are already asking the question whether the power of a third party in India does constitute a real safeguard for the Muslim minority against a politically

hostile and economically exploiting majority in India. There seems to be a deeper reason also. The rapid movement of events, and often sudden changes of situation in the political world, cannot permit an Imperial democracy, especially in the case of Party Government, to agree for any long periods of time to definite policies. Lack of imagination is a virtue rather than a fault in a modern politician. And owing to this lack of imagination which is incapable of synthesizing permanence and change in a higher political concept, modern politics is driven to live from hand to mouth. In the case of a subject country like India, therefore, cooperating communities are naturally led to think that the firmness of their political attitude in difficult times for the Government may be of little or no value in the eyes of this or that political party which may come to power at any time in England. Whatever may be the character and ideals of political parties in England, you must base your policy on *enlightened self-interest* and conceive it in a spirit calculated to impress the whole British nation. It is folly to fight a battle in which there is likelihood of the fruits of victory going to those who are either hostile to, or have no sympathy with, our legitimate political aspirations. The present circumstances are such that in thinking out a line of policy with a view to get [*sic.*] over the immediate difficulties of the community, it is your duty to see that the likelihood I apprehend is culminated, and the benefit of the action advised by you finally accrues to your community.

Let me state the position as plainly as possible. The British undertook to give a provisional decision of the communal problem in case the communities of India did not arrive at a mutual settlement after their representatives had returned from the second Round Table Conference. This undertaking was thoroughly consistent with the claim and the policy of the British as a third party holding the balance between the contending communities of India. The British Government's present attitude, however, would show that they do not mean to function as an impartial holder of balance in India, and are indirectly driving the Indian communities, which are mainly Hindus and Muslims, to a kind of civil war. We tried the majority community and found them unwilling to recognize the safeguards which we can forego at the risk of complete extinction as a nation determined to live its own life. The alternative was to hope for justice from the

British who, ever since they took the country from the Muslims, have claimed, as I have said above, to function as an impartial holder of balance in India. In their case, too, we find that the old British courage and straightforwardness are replaced by a constantly shifting policy which can inspire no confidence and seems to be calculated only to facilitate their own position in India. The Muslim community is thus brought to face the question whether it is in the *interest* of the community that their present policy which has so far obviated British difficulties and brought no gain to the community shall continue for any further period of time. This is a question for the open Conference to decide. All that I can say at the present stage is that, if you decide to discontinue this policy, your immediate duty is to prepare the who[le] community for the kind of self-sacrifice without which no self-respecting people can live an honourable life. The most critical moment in the history of the Indian Muslims has arrived. Do your duty or cease to exist.

Gentlemen :

I now request you to turn for a moment to two matters of gravest concern to the Muslims of India—I mean the Frontier Province and Kashmir which, I have no doubt, are uppermost in your mind.

It is indeed gratifying to see that [the] Government have at least conceded our demand regarding the political status of [the] North-West Frontier Province though it remains to be seen what this status means in the actual administration of that province. Newspaper reports show that in the matter of franchise, Government rules have been more liberal than in other provinces. The reform machinery will, it is understood, be set in full working order from the next month. What, however, has taken grace out of the whole affair is the simultaneous launching of a campaign of represession which is not essentially different from martial law. The consideration shown in the matter of constitutional issue has been more than neutralized by the severity and short-sightedness shown in the case of the administrative issue. Government may have reasons for counteracting extremist activities of certain people in that part of the country, but it has surely not been able to defend a policy of wholesale repression. During this struggle in other parts of India, Britain's dealing with

the situation has not been entirely devoid of restraint. In the Frontier Province alone repression has assumed forms unworthy of a civilized government. If oral reports are true then the heart of the Bitish official in the Frontier Province stands in need of a reform far greater in importance for the British Empire than the constitutional reform sought to be introduced into that province. There is no definite and final information about the number of arrests and persecutions; but as it is roughly mentioned in newspapers, thousands have been arrested and convicted or interned. It is for the Government to consider whether the incongruent policies of concession and repression will result in the pacification of a proud race like the Afghans. Abdul Ghaffar Khan certainly commands a great deal of influence among the young border Afghans, but what has extended the sphere of his influence to the farthest ends of the territory and to the ignorant folk of the Frontier villages, is the present thoughtless policy of repression. [The] Government cannot be unaware of the fact that the all-India policy of the Indian Muslims was, at this juncture, effectively keeping in check the tendencies of the Muslims of that province to join hands with those who were for an unconditional alliance with the Congress. Perhaps there have been difficulties from the Government point of view; yet I think a little different handling of the administrative action could have saved the whole situation. The political situation in the Frontier, it appears, was allowed to deteriorate during a period when a policy of relaxation was the order of the day, and attempts to deal with it in a repressive manner have been made at a time when the real remedy of the disease had been prescribed. The sooner the Government withdraws all repressive measures from the province the better for the province and the Government itself. The situation has caused deep concern to the whole Muslim community in India, and it is hardly wise for the Government not to allay Muslim feeling in this respect.

As to Kashmir, it is hardly necessary for me to describe the historical background of events which have recently happened in that country. The apparently sudden resurrection of a people in whom the ego-flame had been almost extinguished ought to be, in spite of the suffering which it has necessarily involved, a matter of rejoicing to all those who possess an insight into the inner struggle of modern Asiatic peoples. The cause of the peo-

ple of Kashmir is absolutely just, and I have no doubt that the re-birth of this sense of reality of their own personality in an intelligent and skilful people will eventually prove a source of strength not only to the State but also to the people of India as a whole. What, however, is most deplorable is that the communal ill-feeling existing in India, and the perfectly natural sympathy of the Indian Muslims with their Kashmir [*sic.*] brethren, led to a kind of counter-agitation among the Hindus, which, in its despair, sought to protect a barbarous administration by attributing its inevitable consequences to such wild fancies as pan-Islamic plots and conspiracies for British occupation of Kashmir. Such agitation and the communal colour thereby given to the Kashmir question could have led only to one thing—resort to violent repression leading to prolonged lawlessness in the State. In parts of the Jammu province, as newspaper reports tell us, the administration has completely broken down and it is only the presence of British troops which is keeping things in control at least in places where they are present. Oral reports of a most violent and shameful repression practised by State authorities in many places are still pouring in. Nor can commissions of enquiry be of any help in such a state of things. The Middleton Report which admits important facts and fails to draw legitimate conclusions therefrom has already failed to satisfy Muslims. The truth is that the matter has passed the stage in which enquiries can lead to effective results. The growing sense of self-consciousness in the people all over the world is now demanding recognition in the shape of a desire for an increasing share in the administration which governs them. Political tutelage is good for a primitive people but, it is in the best interests of an administration itself not to shirk from radical reform when a change in the outlook of a people demands it. Among other things, which have probably arisen from the peculiar conditions obtaining in Kashmir, the people of that country [*sic.*] demand some kind of a popular assembly. Let us hope that the ruler of the State and the Government of India will consider the people's demand as favourably as they possibly can. I have no doubt that the new Prime Minister, with characteristic British administrative acuteness, will see into the heart of the matter, and provide scope for the activity of a fine but down-trodden people who gave some of the best intellects to ancient India, and

later added a real charm to Mughul culture. There may be difficulties in the way of constitutional reform in Kashmir as in the case of our own country; but the interests of permanent peace and order demand that these difficulties must be speedily overcome. If the meaning of the present upheaval is not properly understood and its causes are sought in directions where they cannot be found, the Kashmir Government, I fear, will have made its problem much more complicated.

It is obvious, therefore, that the attitude of the British Government towards our demands and the gravity of the situation in the Frontier Province and Kashmir claim our immediate attention. But what claims our immediate attention is not our only concern. We must have a clear perception of the forces which are silently moulding the future, and place a relatively permanent programme of work before the community in view of the probable direction of events in the country. The present struggle in India is sometimes described as India's revolt against the West. I do not think it is a revolt against the West; for the people of India are demanding the very institutions which the West stands for. Whether the gamble of elections, retinues of party leaders and hollow pageants of parliaments will suit a country of peasants to whom the money-economy of modern democracy is absolutely incomprehensible, is a different question altogether. Educated urban India demands democracy. The minorities, feeling themselves as distinct cultural units and fearing that their very existence is at stake, demand safeguards which the majority community, for obvious reasons, refuses to concede. The majority community pretends to believe in a nationalism, theoretically correct, if we start from Western premises, belied by facts, if we look to India. Thus the real parties to the present struggle in India are not England and India, but the majority community and the minorities of India which can ill afford to accept the principle of Western democracy until it is properly modified to suit the actual conditions of life in India.

Nor do Mahatma Gandhi's political methods signify a revolt in the psychological sense. These methods arise out of a contact of two opposing types of world-consciousness, Western and Eastern. The Western man's mental texture is chronological in character. He lives and moves and has his being in time.

The Eastern man's world-consciousness is non-historical. To the Western man things gradually become; they have a past, present and future. To the Eastern man they are immediately rounded of, timeless, purely present. That is why Islam which sees in the time-movement a symbol of reality appeared as an intruder in the static world-pictures of Asia. The British as a Western people cannot but conceive political reform in India as a systematic process of gradual evolution. Mahatma Gandhi as an Eastern man sees in this attitude nothing more than an ill-conceived unwillingness to part with power and tries all sorts of destructive negations to achieve immediate attainment. Both are elementally incapable of understanding each other. The result is the appearance of a revolt.

These phenomena, however, are merely premonitions of a coming storm, which is likely to sweep over the whole of India and the rest of Asia. This is the inevitable outcome of a wholly political civilization which has looked upon man as a *thing* to be exploited and not as a *personality* to be developed and enlarged by purely cultural forces. The peoples of Asia are bound to arise against the acquisitive economy which the West has developed and imposed on the nations of the East. Asia cannot comprehend modern Western capitalism with its undisciplined individualism. The faith which you represent recognizes the worth of the individual, and disciplines him to give away his all to the service of God and man. Its possibilities are not yet exhausted. It can still create a new world where the social rank of a man is not determined by his caste or colour or the amount of dividend he earns, but by the kind of life he lives; where the poor tax the rich, where human society is founded not on the equality of stomachs but on the equality of spirits, where an Untouchable can marry the daughter of a king, where private ownership is a trust, and where capital cannot be allowed to accumulate so as to dominate the real producer of wealth. The superb idealism of your faith, however, needs emancipation from the medieval fancies of theologians and legists. Spiritually we are living in a prison-house of thoughts and emotions which during the course of centuries we have woven round ourselves. And be it further said to the shame of us—men of older generation—that we have failed to equip the younger generation for the economic, political and even religious crises that the present age

is likely to bring. The whole community needs a complete overhauling of its present mentality in order that it may again become capable of feeling the urge of fresh desires and ideals. The Indian Muslim has long ceased to explore the depths of his own inner life. The result is that he has ceased to live in the full glow and colour of life, and is consequently in danger of an unmanly compromise with forces which, he is made to think, he cannot vanquish in open conflict. He who desires to change an unfavourable environment must undergo a complete transformation of his inner being. God changeth not the condition of a people until they themselves take the initiative to change their condition by constantly illuminating the zone of their daily activity in the light of a definite ideal. Nothing can be achieved without a firm faith in the independence of one's own inner life. This faith alone keeps a people's eyes fixed on their goal and saves them from perpetual vacillation. The lesson that past experience has brought to you must be taken to heart. Expect nothing from any side. Concentrate your whole ego on your self alone, and ripen your clay into real manhood if you wish to see your aspirations realized. Mussolini's maxim was: 'He who *has* steel has bread.' I venture to modify it a bit and say: 'He who *is* steel has everything.' Be hard and work hard. This is the whole secret of individual and collective life. Our ideal is well defined. It is to win in the coming constitution a position for Islam which may bring her opportunities to fulfil her destiny in this country. It is necessary in the light of this ideal to rouse the progressive forces of the community and to organize their hitherto dormant energies. The flame of life cannot be borrowed from others; it must be kindled in the temple of one's own soul. This requires earnest preparation and a relatively permanent programme. What then shall be our future programme? I am inclined to think that it should be partly political, partly cultural. I venture to offer a few suggestions for your consideration.

First, we must first frankly admit that there is yet a sort of chaos in the political thought of those who are supposed to guide the activities of the Indian Muslims in the present day political struggle. The community, however, is not to blame for this state of things. The Muslim masses are not at all lacking in the spirit of self-sacrifice when the question of their ultimate destiny in the country is involved. Recent history bears ample

testimony to what I say. The fault is ours, not theirs. The guidance offered to the community is not always independently conceived, and the result is ruptures, sometimes at critical moments, within our political organizations. Thus these organizations cannot properly develop the kind of discipline which is so absolutely essential to the life and power of political bodies. To remedy this evil, I suggest that the Indian Muslims should have only one political organization with provincial and district branches all over the country. Call it whatever you like. What is essential is that its constitution must be such as to make it possible for any school of thought to come into power and to guide the community according to its own ideas and methods. In my opinion this is the only way to make ruptures impossible, and to re-integrate and discipline our scattered forces to the best interests of Islam in India.

Secondly, I suggest that this central organization should immediately raise a national fund of at least 50 lakhs of rupees. No doubt we are living in hard times, but you may rest assured that the Muslims of India will not fail to respond to your call if a genuine effort is made to impress upon them the gravity of the present situation.

Thirdly, I suggest the formation of youth leagues and well-equipped volunteer corps throughout the country under the control and guidance of the central organization. They must specially devote themselves to social service, custom reform, commercial organization of the community and economic propaganda in towns and villages specially in the Punjab where enormous indebtedness of Muslim agriculturists cannot be allowed to wait for the drastic remedies provided by agrarian upheavals. Things appear to have reached the breaking point as in China in 1925 when peasant leagues came into being in that country. The Simon Report admits that the peasant pays a 'substantial portion' of his means to the state. The state, no doubt, gives him in return peace and security, trade and communication. But the net result of these blessings has been only a kind of scientific exactitude in taxation, destruction of village economy by machine-made goods and the commercialization of crops which makes the peasant almost always fall a prey to money-lenders and commercial agents. This is a very serious

matter especially in the Punjab. I want the proposed youth leagues to specialize in propaganda work in this connection, and thus to help the peasantry in escaping from its present bondage. The future of Islam in India largely depends, in my opinion, on the freedom of Muslim peasants in the Punjab. Let then the fire of youth mingle with the fire of faith in order to enhance to glow of life and to create a new world of actions for our future generations. A community is not merely a purely present and numerable whole of men and women. Indeed its life and activity as a living reality cannot be fully understood without a reference to that unborn infinity which lies asleep in the deeps of its inner being.

Fourthly, I suggest the establishment of male and female cultural institutes in all the big towns of India. These institutes as such should have nothing to do with politics. Their chief function should be to mobilize the dormant energy of the younger generation by giving them a clear grasp of what Islam has already achieved and what it has still to achieve in the religious and cultural history of mankind. The progressive forces of a people can be roused only by placing before them a new task calculated to enlarge the individual, to make them comprehend and experience the community, not as a heap of isolated fragments of life, but as a well-defined whole possessing inner cohesion and solidarity. And when once these forces are roused, they bring fresh vigour for new conflicts and that sense of inner freedom which enjoys resistance and holds out the promise of a new self. These institutes must keep in close touch with our educational institutions—old and new—with a view to secure [*sic.*] the ultimate convergence of all the lines of our educational endeavour on a single purpose. One practical suggestion I can immediately make. The Hartog Committee's interim Report, now apparently forgotten in the rush of other political problems, makes the following recommendations which I consider of the utmost importance for the Muslims of India :

> 'There can be no doubt that if in provinces where the educational progress of the Muhammadan community is impeded by religious difficulties, such arrangements for religious instruction can be made as will induce that community to send its children to ordinary schools; the public

system will gain both in economy and efficiency and much will be done to free the community from the handicap and the reproach of educational backwardness.

'We are fully aware that such arrangements are not easy to make and that in other countries they have given rise to much controversy....But in our opinion the time is ripe and more than ripe for a determined effort to devise practical plans.' (pp. 204-205)

And again on page 206 while discussing reservations the Report says :

'If therefore special arrangements inside the public system were made now, and possibly for some time to come, to enable the Muhammadan community to take its full share in the life and in the advance of the nation, this would not, in our opinion, be inconsistent either with sound democratic or sound educational principles. We wish we could say that no reservations are necessary and we should certainly wish that they should be as small as possible. As complications of an educational system, they are undersirable in themselves, but since, in our belief, they represent a necessary alternative to leaving the Muhammadan community in its present backward state, and leaving it to take the poor chances afforded by a system of segregated institutions, we have no hesitation in embracing that alternative, as justifiable on broad grounds of national policy.'

The proposed cultural institutes or till their establishment the All India Muslim Conference must see that these recommendations, based as they are on a clear perception of the present handicaps of our community, are carried into effect.

Fifthly, I suggest the formation of an assembly of *ulama* which must include Muslim lawyers who have received education in modern jurisprudence. The idea is to protect, expand and, if necessary, to re-interpret the law of Islam in the light of modern conditions, while keeping close to the spirit embodied in its fundamental principles. This body must receive constitutional recognition so that no bill affecting the personal law of Muslims may be put on the legislative anvil before it has passed through the crucible of this assembly. Apart from the purely practical value of this proposal for the Muslims of India, we

must remember that the modern world, both Muslim and non-Muslim, has yet to discover the infinite value of the legal literature of Islam and its significance for a capitalistic world whose ethical standards have long abdicated from the control of man's economic conduct. The formation of the kind of assembly I propose will, I am sure, bring a deeper understanding of the usual principles of Islam at least in this country.

Source:—*Speeches and Statements of Iqbal*, compiled by "Shamloo", Al-Manar Academy, Lahore, 2nd enlarged edition, September 1948, pp. 36-61.

## 27. Muslim Conference Resolutions

*Lahore, 22 March 1932*

1. Whereas the Muslim community is profoundly dissatisfied with the results of the last two conferences in as much as the Muslim demands formulated on January 1, 1929, and July 5, 1931, have not been conceded and whereas the Conference is generally of the opinion that its policy of co-operation has not yet yielded satisfactory results, it holds that it is no longer possible for the Muslims to continue to co-operate with the Round Table Conference and its sub-committees which are preparing a constitution in the absence of a decision that full Muslim demands will be embodied therein. But in view of the undertaking given by the British Government to announce its decision on the communal question without delay this conference urges upon the Government to announce its decision at the earliest possible opportunity so that the Muslim community may clearly understand its position in the constitution. If the decision is not announced before the end of June, the next meeting of the Executive Board of the Conference should be held on July 3 this year at the latest to launch a programme of direct action.

This Conference is further of opinion that in the meantime the community should be organized in the following manner to be prepared for any emergency which may arise:—(a) to establish more branches of the Muslim Conference in all parts of the country to bring about co-ordination of work among the Muslim organizations in the country with a view to political

emancipation and the economic betterment and solidarity of the community, (b) to enrol volunteers under the branches of the Conference with a declaration from them that they will be prepared for all possible sacrifices for the enforcement of the demands of the Muslim Conference, (c) to collect funds for the above purposes.

The Conference further authorizes the Working Committee to prepare a programme of direct action and place the same before the Executive Board by the end of June 1932 for necessary action.

2. Whereas the scheme of federation propounded by the Round Table Conference is bound to involve considerable delay in the working of details and whereas the provinces of British India have been demanding complete provincial autonomy ever since the inauguration of the Government of India Act, 1919, this Conference demands the immediate introduction of provincial autonomy in all provinces in British India simultaneously while the details of the federation scheme are being explored and worked out.

Source:—*The Indian Annual Register 1932, Vol. I, January-June 1932*, p. 307.

## 28. Muslim Conference Working Committee Resolutions

*Simla, 7 June 1932*

1. The Working Committee of the All India Muslim Conference places on record its appreciation of the services rendered by the Indian Franchise Committee in the extension of direct franchise on a sound basis. The Working Committee, however, deems it essential that attention should be called to a number of recommendations in the report of the Franchise Commission [*sic*] which militate against the organization of a genuinely representative democracy in India and are bound ultimately to produce an amount of friction and engender a feeling of dissatisfaction which will be harmful no less to the stability of the new constitution than to the growth of national unity and solidarity. The recommendations if carried into effect will create a segmentation of the Indian electorate to an

extent which will render both the Provincial and Federal Legislatures unworkable.

While not committing itself to other details of the various schemes formulated by the Franchise Committee for the Provinces and the Centre, the Working Committee is emphatically of the opinion that reconsideration and modification of some of its proposals is [*sic*] imperatively necessary as they will render the smooth working of the constitution extremely difficult if not impossible.

The Working Committee would like to draw the attention of the Indian Franchise Committee to the following points:

(1) The Working Committee is opposed in principle to the creation or perpetuation of special constituencies as it is firmly convinced that the only true and sound principle on which the new constitution can be based is the organization of territorial constituencies which are quite capable of expressing the views, needs and policy of the different interests comprised therein. The Working Committee would like to point out that the recommendations made by the Franchise Committee regarding general constituencies will facilitate the election of all the classes for which the Committee has proposed special constituencies. For these as well as other reasons the Working Committee is opposed not only to the creation of new but also to the maintenance of existing constituencies for the special classes enumerated by the Franchise Committee. Should it, however, be considered necessary to maintain some special constituencies in any province, the Working Committee will agree to make special constituencies subject to the following fundamental principles:

(a) Special constituencies should be designed only for a transitional period, after the lapse of which all special constituencies should disappear.

(b) As an overwhelming majority of such constituencies are essentially communal in their outlook, working and policy, Muslims must be given a share in proportion to their representation in all Legislatures, otherwise the Muslims' proportion in all Legislatures will be violently disturbed.

(c) No special constituencies should be created for labour.

The Committee is convinced that the extension of the franchise proposed by the Indian Franchise Committee is bound to lead to an effective and substantial representation of labour in all Legislatures. The special franchise devised by the Committee for adding to the voting strength of the Depressed Classes will lead to the election of a large number of Depressed Classes members, who will safeguard the interests of labour. The Working Committee are surprised at the futility of the Indian Franchise Committee in trying to create special qualification and reservation of seats for industrial labour, whereas the claims of the vastly larger and more deserving agricultural labour class have been totally ignored.

(d) The Committee believe in the complete civic equality of women and is not opposed to any extension of the franchise which is of general application and enfranchises both men and women, but it is opposed to the special and fancy franchise which has been suggested for women both for the Provinces and the Centre, as it will dislocate the entire electoral machinery and create invidious distinctions among women and produce considerable friction and dissatisfaction among various classes of voters. The Committee is not aware of any representative women's organization which has asked for the peculiar and unique privilege which the Franchise Committee has conferred on the women of the country, and the method of enfranchising the wives of men voters recommended by the Committee not only introduces the most objectionable principle of plural votes given to rich and propertied classes, but it also removes for the future all incentive for the reform of such laws as prevent the women of India from inheriting property. In our opinion, organizations in India are well advised in protesting against this proposal.

(2) While the Committee recognizes the need for the protection of all minor Minorities, it would like to point out that any scheme regarding minor Minorities which has the effect, direct or indirect, of reducing the Muslim quota in provincial and central Legislatures will be totally unacceptable to it.

(3) As regards the allocation of seats in the Federal Legislature among the provinces proposed by the Federal Structure Sub-Committee, to which the Indian Franchise Committee has given its approval, the Working Committee is strongly of opinion that the number of seats allotted to the North-West Frontier Province and Baluchistan is most unfair and totally unacceptable to it. The Muslim members of the Federal Structure Sub-Committee did not agree to the number of seats allocated to these provinces. The Committee is strongly of opinion that the North-West Frontier Province should be allotted four seats in the Upper Chamber and five seats in the Lower Chamber, while Baluchistan should be allotted two seats in the Upper and three in the Lower Chamber of the Federal Legislature out of the seats proposed by the Federal Structure Sub-Committee.

(4) The Working Committee is opposed to the increase in the size of the Lower Federal Chamber as it is of the opinion that it is of the essence of a Federal Legislature that it should be comparatively small in size. The size suggested by the Federal Structure Sub-Committee was the result of a compromise, and was determined after a full and thorough debate. In the opinion of the Committee, the recommendation of the Federal Structure Sub-Committee should not be disturbed.

(5) The Working Committee is strongly of opinion that no case has been made out for the representation of special classes in the Federal or Local Legislatures and it is opposed in principle to such classes being represented.

(6) In the Minority Provinces, the United Provinces, Bombay, Bihar and Orissa, Assam, Madras, and the Central Provinces, the existing weightage should be guaranteed in the whole Council, while in the Punjab and Bengal, Muslim constituencies should be in the majority and should preponderate.

(7) The Committee is strongly of opinion that the Muslim members of the Federal Upper House should be elected by the Muslim members of their provincial Legislatures and their proportion from each province in the Upper House should in no case be reduced.

(8) The Working Committee should like to make it clear that it cannot approve of weightage to Indian States in either House of the Federal Legislature. It supports the policy

of the Muslim delegates in the Federal Structure Sub-Committee and cannot consent to any other principle or [*sic*] representation of Indian States except the principle of population in both Houses.

2. The Working Committee places on record its deliberate and considered opinion that:

(1) The provinces of British India should be invested with complete financial autonomy. In its opinion, provincial autonomy will be incomplete and barren unless and until they are made financially autonomous units of the Federation.

(2) All the units of the Federation should be called upon to contribute an equal amount to the Federation. Unless the burdens are equalized among the units of the Federation, and the principle of equity is consistently applied, the financial structure that may be built up will be thoroughly unsound.

(3) In the opinion of the Working Committee the report of the Federal Finance Committee does not impose any charge upon the Indian States for the maintenance of the Federal Government, and the taxpayer in British India will be called upon to shoulder the responsibility for practically all the expenses of the Federal Government. The Committee regards this as most unfair and completely unjustified.

(4) The Committee is strongly of the opinion that the Indian States that will constitute the units of the Federation should be asked to contribute to the payment of expenses incurred in the maintenance of services such as the Army and the departments which are designed for the safety, protection and convenience of the Federation as a whole. The Committee is of the opinion that the States should contribute their share to the Federal fund in proportion to their population.

(5) If the Indian States are charged with the payment of a proportionate amount to the Federal Exchequer, either in the form of a Federal tax or in the shape of contributions, the intense feeling of unfairness which has been created by the Federal Finance Committee's report will be mitigated if not entirely removed.

(6) The Working Committee of the All India Muslim Conference is strongly opposed to the scheme of contributions proposed to be levied by the Federal Government from [*sic*]

British Indian units. In its opinion, if this proposal is accepted, it will render the autonomous provinces of British India financially helpless, politically impotent, and administratively incapable of vigour, energy and effectiveness.

No contributions should be leviable from the British provinces and the proceeds of income tax should be placed immediately at the disposal of the provinces after the passing of new Act. The Committee is strongly of the opinion that the only sound and practical scheme which can be applied in India consistently with the basic principles of Federation and with the traditions, powers and privileges of the Sovereign States of British India, is one in which the powers of the Federal Government over all its units, both British India and Indian States, are strictly defined; in which the functions of the Federal Government are carefully and precisely demarcated; and in which the principles of uniformity of taxation and equality of sacrifice by the component units has [*sic*] a full, free and unrestricted sway.

Judged by these tests, the recommendations of the Federal Finance Committee are vitiated by the lack of a just regard for the financial autonomy of the provinces and the need of an equitable distribution of burdens among the different units of the Federation. The Working Committee would like to illustrate this tendency in the report of the Federal Finance Committee by citing the following examples:

(1) The emergency powers of the Federal Government are too wide and will considerably restrict, abridge and, in some cases, render illusory the financial autonomy of the provinces.

(2) The Federal Committee has not endorsed the proposal of the Peel Committee that residuary powers of taxation should rest with the provinces. In our opinion, the principle should be unambiguously laid down in the constitution.

(3) The Federal Finance Committee has given the Federal Government general powers to impose a surcharge for its own purposes on any tax levied by it for the benefit of the units. In our opinion, the power thus conferred on the Federal Government is too wide.

(4) The Federal Finance Committee has made proposals for sources of revenue in regard to which power of legislation should rest with the Federal Government. While the Work-

ing Committee does not wish to decide at this stage whether the Federal Government should be invested with those powers, it is strongly of the opinion that such taxes if levied should apply equally to British India and the Indian States.

(5) The maintenance of internal Customs duties among Indian States is inconsistent with the basic principles of Federation and incompatible with the stability of the administration. In the opinion of the Committee, all internal Customs duties levied on Indian States should be abolished. The Committee is of the opinion that the Customs in India should be uniform.

(6) The Committee is strongly of the opinion that no Central charge should remain in the budget of the Federal Government as, if the Federal Government assumed responsibility for the whole of the pre-Federation debt, its obligations would be more than covered by the assets taken over by the Federal Government.

(7) The Working Committee is of the opinion that the provinces of British India should be given complete power to borrow in the open market according to needs and requirements without any control or restriction by the Federal Government, subject to such co-ordination of borrowing by the different units as may be mutually agreed upon between the units and the Centre. The Working Committee is in favour of the proposal for the constitution of a Financial Council containing representatives of the Centre and the Provinces for the purpose of co-ordinating loan programmes and other matters of common concern to the Provinces and the Centre. Such a body will be the co-ordinating body for the purpose, and will possess such powers as may be mutually agreed upon by the members thereof. The Working Committee is emphatically of the opinion that unless and until the defects complained of above are not [*sic*] removed without avoidable delay, the report of the Federal Finance Committee will not only be totally unacceptable to the Muslims of India, but will also prove an unsurmountable obstacle to the establishment of a sound and practicable scheme of Federation.

3. The Working Committee strongly protests against the attitude adopted by the Alwar Durbar in completely ignoring the repeated request of the Secretary of the Committee to allow a

deputation to wait upon His Highness the Maharaja of Alwar for the redress of the grievances to which frequent expression has been given by the Muslims of the State and for the removal of which the Alwar Durbar has hitherto taken no steps. The Working Committee is of the opinion that the recent unfortunate occurrences in the State are the direct result of gross neglect by the Durbar of its elementary duty to the Muslim subjects of the State.

The Working Committee urges upon the Alwar Durbar the necessity of appointing an impartial committee to investigate the predisposing causes of the present happenings.

The Working Committee places upon record its dissatisfaction with the personnel of the Committee appointed by the Alwar Durbar.

4. The Working Committee requests the All India Kashmir Committee to formulate its decisions on the two Glancy Reports without avoidable delay, so that the Muslim Conference might be able to evolve a considered policy regarding Kashmir.

5. The Working Committee is profoundly grieved over the recent unfortunate occurrences in Bombay, and hopes that feelings of amity and harmony would be restored. The Committee heartily sympathizes with the members of the bereaved families who have suffered in person and property.

Source:—For Resolutions 1 and 2, *Pioneer*, Allahabad, 11 June 1932; for Resolutions 3, 4 and 5, *The Indian Annual Register, 1932: Vol. I, January-June 1932*, pp. 311-312.

### 29. Muslim Conference Working Committee Resolutions

*New Delhi, 7 August 1932*

1. Whereas the attitude of the Alwar Durbar towards its Muslim subjects and their many grievances, which they have been, for a long time, most respectfully and constitutionally laying before the Durbar, have been one of extreme indifference and even of hostility; whereas the recent policy of the Alwar Durbar has been characterized by ruthless repression, so much so that about ten thousand Muslims, men and women, of all

ages and stations in life, have been driven to migrate from the Alwar City to Jaipur, Ajmere, Rewari, Ferozepore, Jherka, Gurgaon, Hissar, Agra, Bharatpur, Delhi and other places; whereas the Alwar Durbar has not allowed the deputation appointed by the All India Muslim Conference, in its session in Lahore, to wait upon the Maharaja of Alwar to make a representation about the grievances of the Alwar Muslims; and whereas the Alwar Durbar has failed to appoint an independent Commission to investigate the predisposing causes of the deplorable incidents of 29th May, when State troops fired on Muslims, as demanded by the Working Committee of the Conference on the 6th June, it is hereby resolved that:

(a) A deputation should wait on the Viceroy in order to place the whole case before His Excellency and request him to appoint an independent Commission of Enquiry for the purpose of investigating all the grievances of the Alwar Muslims.

(b) Telegrams be sent to the Secretary of State for India, the Viceroy and the Agent to the Governor-General, Rajputana States, drawing their attention to the situation in Alwar and the ruin it is causing to innocent men and women and its probable consequences in British India.

2. The Committee calls upon Muslim India to render immediate financial aid to the Alwar refugees.

3. The Working Committee further calls upon the Press in India to take up the just cause of the Alwar refugees.

4. In view of the general feeling of Musalmans throughout the country, that the Ahrar prisoners who were sent to jail in connection with the Kashmir agitation should be immediately released by the Government, the Working Committee urges upon the Government the desirability of the immediate release of Ahrar prisoners.

5. In view of the fact that the sword is exempt from the operation of the Arms Act in some districts of the Punjab, while licence is necessary in others, the Working Committee is strongly of the opinion that the sword be exempted from the operation of the Arms Act throughout the Punjab. The Working Committee further calls upon the Muslim members of the Punjab Legislative Council to take necessary steps for the same.

6. The Working Committee, while appreciating the desire of the Sikhs to join the Minorities Pact, and while welcoming their conversations with certain Muslims in Simla, is strongly of the opinion that such conversations may be used for bringing about postponement of the announcement by the British Government of their decision on the communal question, and therefore calls upon the Muslims at Simla taking part in those conversations to postpone the same till the decision is announced by the Government.

7. The Working Committee is emphatically of the opinion that, in view of the acuteness of the present situation and the possibilities of further complications, it is the duty of the British Government to announce their decision on the communal question without further delay.

8. The next meeting of the Executive Board be held in Delhi after the announcement by the Government of the decision of the communal problem, giving ten days' clear notice to the members of the Board.

Source: *The Indian Annual Register, 1932, Vol. II: July-December 1932,* pp. 330-331.

## 30. Muslim Conference Executive Board Resolutions

*Delhi, 21 August 1932*

1. In the opinion of the Board, the decision of His Majesty's Government about the measure of Muslim representation in the provincial legislatures is disappointing, as it falls very much short of the Muslim demands embodied in their [*sic*] resolution of the All India Muslim Conference, and as it (a) denies the right of a statutory majority by separate electorates to the Musalmans in the Punjab and Bengal, (b) reduces the weightage now enjoyed by the Musalmans in the United Provinces, Bihar and Orissa and Madras legislative councils, (c) gives weightage to non-Muslim minorities in the North-West Frontier Province equivalent to three times their population, which is much in excess of the weightage given to Muslims in their minority provinces, (d) omits British Baluchistan from the general scheme of

reforms, (e) leaves the question of separation of Sind as provisional as before.

2. The Board, while appreciating the efforts of His Majesty's Government to meet the demands of all concerned and recognizing that their decision does meet a portion of the Muslim demands, is strongly of the opinion that no constitution would be acceptable to Muslim India unless it embodied in it all the other Muslim demands set forth in their resolution of January 1929 and further explained and confirmed in their resolution of April 1931.

3. The Board most emphatically adds that the Muslims of India will not accept any constitution unless it creates completely autonomous federal states of equal status, and accepts the principle that the transfer of power shall be from the Parliament to the Provinces, and not from the Parliament to the Central Government.

4. The Board further requests His Majesty's Government to make an immediate announcement that the future constitution will be based on the principles stated in the preceding paragraphs.

5. The Executive Board is emphatically of the opinion that a great injustice has been done to the Muslims of Bengal, as His Majesty's Government have, in their decision, departed from the well-recognized principle that no majority shall be reduced to a minority or an equality.

6. Separation of Sind being one of the most vital demands of the [*sic*] Muslim India, this meeting of the Board demands that Sind be separated from the Bombay Presidency without any further delay.

7. In view of the change in the political atmosphere caused by the announcement of the decision made by His Majesty's Government, the Board urges upon the Musalmans of India to continue to cultivate friendly relations with the sister communities, and remain prepared for all eventualities in order to protect their rights and secure, by all constitutional means, the remaining demands which they consider more vital than the mere allotment of seats.

Source:—*The Indian Annual Register, 1932, Vol. II, July-December 1932*, p. 332.

## 31. Muslim Conference Resolutions

*Lucknow, 16 October 1932*

1. Whereas agreement and unanimity among the Indian Muslims of different shades of opinion is a condition precedent to the realization of the legitimate aspirations of the Musalmans of India, and an agreement between the various communities of India is essential to the attainment of responsible government; and

Whereas the Muslim Conference has reached complete unanimity as embodied in the resolution of the All Parties Conference in Delhi on January 1, 1929, and as amplified by the resolution of the Jamiat-ul-Ulema held in Saharanpur in 1931 on items other than the question of separate electorates, this Conference declares that, subject to the definite acceptance of the Muslim demands, the method of election in the Provincial and Central Legislatures be made the subject of negotiations with other communities, preferably on the basis of the principles contained in Maulana Muhammad Ali's formula or otherwise on any other satisfactory basis, subject to ratification by a representative conference of Musalmans.

2. This Conference welcomes the suggestion of Pandit Madan Mohan Malaviyya for the appointment of a committee of this Conference to meet representatives of Hindus and Sikhs. While assuring him and all other Indian patriots that the Musalmans are second to none in their anxiety to serve the best interests of the country, it hereby appoints a Committee to negotiate an agreed solution of the communal problem within the terms of the resolutions of the Conference relating to Muslim demands and as amplified by the Jamiat-ul-Ulema-i-Hind and the Shia Conference.

Source:—*The Indian Annual Register, 1932, Vol. II: July-December 1932*, p. 288.

## 32. Muslim Conference Resolutions

*Delhi, 20 November 1932*

1. Having regard to the growing influx of immigrants, predominantly Muslim, into the province of Assam, and the need for securing effective weightage to the minority community, the Council of the All India Muslim League and the Working Committee of the Muslim Conference and the Jamiat-ul-Ulema (Cawnpore) endorses the legitimate claim of the Muslims of Assam for 40 per cent of the seats in the local Legislature.

2. Having regard to the importance of the Muslims of Madras, this joint Conference deems it necessary that the Muslims of Madras should enjoy the same weightage as is allowed to the Frontier [North-West Frontier Province] Hindus, and be treated in the matter of representation in the Cabinet and [*sic*] in the same way.

3. As no decision has yet been reached regarding the representation of the Delhi province, and the proceedings of the last Round Table Conference have made but very small mention of this important province, this joint meeting demands that one seat for Muslims must be reserved by separate electorate each for the Delhi and Ajmere provinces in the next Federal Assembly in India.

4. In view of the weightage given to non-Muslims in the North-West Frontier Province, and the inadequate weightage given to the Muslim minority in Bihar and Orissa which falls short of the Muslim demand, this joint Conference resolves that at least 27 per cent representation be given to Muslims in Bihar and Orissa.

5. In view of the fact that some of the Muslim gentlemen who attended the Allahabad Conference have stated that their proposals are not yet final and the report of the Unity Committee has not yet been even signed and one of the gentlemen has tabled and proposes to move some important amendments to the Allahabad proposals, this meeting of the Council of the All India Muslim League and the Working Committee of the Jamiat-ul-Ulema of Cawnpore and the All India Muslim Conference considers any opinion regarding the Allahabad proposals as premature. But in order to remove all possible misrepresentation

or misapprehension, this meeting wishes to make it quite clear that no communal settlement, by whomsoever arrived at or agreed to, shall be acceptable to the Muslim community at large, unless and until all the demands embodied in the Muslim Conference resolution of the 1st January, 1929, amplified by the resolution of April 1931, are fully accepted.

6. This meeting further puts on record its considered opinion that the Allahabad proposals as published hitherto fall short of the Muslim demand and are therefore unacceptable.

7. This meeting authorizes the Secretaries of the organizations to issue a statement embodying the substance of the speeches in support of the resolution.

Source:—*The Indian Annual Register, 1932, Vol. II: July-December 1932,* p. 298-299.

### 33. Statement Issued by Sir Muhammad Yakub, Secretary, Muslim League, Maulana Muhammad Shafi Daudi, Secretary, Muslim Conference, and Mr. Mazharuddin, Secretary, Jamiat-ul-Ulama of Cawnpore

*Delhi, 20 November 1932*

The joint conference of the Working Committee of the All India Muslim Conference, the Council of the All India Muslim League and the Jamiat-ul-Ulama-i-Hind (Cawnpore) has carefully considered the text of the draft resolutions recently passed by the committee of the Allahabad Conference, and while registering appreciation of the endeavours made by a wing of Musalmans to arrive once again at some settlement with the Congress and the Mahasabha Hindus and with the Sikhs on the communal problem, desires to place on record its opinion that the proposed basis of the agreement is injurious to Muslim interests, impractical and unacceptable.

As those responsible for conducting the proceedings at Allahabad did not publish the full text of the resolutions they had passed until the latest possible moment and then immediately proceeded to proclaim far and wide that complete unity amongst the communities of India had been reached as a result of them,

we consider it of importance that the popular misapprehensions about the scope and status of the Allahabad Conference and meaning of the resolutions passed by it should be promptly corrected. We note with surprise that one of the chief Hindu participants in the negotiations has at this early stage actually telegraphed to London to say that the Conference has settled the communal problem.

The communal decision given by His Majesty's Government last August was only necessary because of the regrettable failure of the communities, despite the most strenuous and repeated endeavours over a period of many years to reach an agreement regarding their respective political positions in a self-governing India. In our view, this failure was due to the persistent refusal of the majority community to meet the minorities' just and reasonable claims. Owing to complete deadlock thus created, the position arose in which, had no award on the subject been given by His Majesty's Government, it would have been impossible for India to progress any further towards the management of her own affairs.

As was emphatically recorded by a vast majority of the accredited Muslim organizations and leaders at the time, the award was very far from satisfying the legitimate Muslim political demands which had been formulated and generally agreed upon in the past. Nonetheless, the majority of responsible Muslims were after a while reluctantly forced to the conclusion that since the majority community were obstinately and, from all appearances, irrevocably opposed to granting us safeguards and protection which as minority we are entitled to, and since no further advance towards responsible self-government for India was possible except on the basis of the award, it was advisable, despite its obvious defects from the Muslim point of view, to accept it.

How in these circumstances it can possibly be imagined that the Muslim community as a whole will willingly accept the political position materially worse than that provided for them even by so admittedly defective a device as the decision, we fail to understand. Yet, after a most careful examination of the resolutions passed at Allahabad, the only conclusion we can reach is that this is what the committee proposes. It will be remembered that when towards the end of September certain

Muslim and Hindu leaders in their individual capacity made proposals for a revival of Hindu-Muslim negotiations about the communal representation, a large body of Muslim spokesmen were of the opinion that no good purpose could be served by further discussions at this stage in view of the innumerable failures recorded in the past.

Indeed, many of us feared that the reopening of the problem now would only end by embittering communal relations, as it had done several times before. Others, however, thought that the attempt might be worth while, and agreed to accept invitations to the Muslim Conference in Lucknow which was held last month with the object of formulating minimum demands on the basis of which Muslims would be prepared to reopen negotiations with the Hindus. Even this Conference, however, was not fully representative of the Muslim opinion since many influential Muslim leaders, who from past experience had grown tired of profitless discussions with the leaders of the majority community, refused to attend. The essence of the resolutions passed by the Muslim leaders who went to Lucknow was that the acceptance by the Hindus of the 13 out of the 14 approved Muslim political demands should be made precedent to any negotiations about the remaining point, namely the form of electorate. No authority of any kind was given under the Lucknow resolutions for reopening the discussions about or altering in any way the remaining 13 points. Yet Hindus are now loudly proclaiming that resolutions passed by the committee of the Allahabad Conference, which impinge materially on the 13 points in a number of ways, have been accepted generally by political opinion throughout the country and that the communal problem has finally been disposed of.

The only satisfactory feature of the Allahabad negotiations, so far as we can see, is that the representatives of the majority community have at last been forced to recognize theoretically the validity of certain of the Muslim demands which had been before them for years, such as, grant of the majorities to the Muslims in the Punjab and Bengal, and the separation of Sind. But this recognition has, in our opinion, been so hedged with qualifications and reservations as to make it quite meaningless from a practical point of view.

We append below a few of the more obvious considerations which have led us to the conclusion that the Allahabad resolutions do not constitute a practical basis for discussion. We make no claim that the catalogue is exhaustive, but the organized secrecy with which the Allahabad proceedings were conducted and followed, as it has been, by a sudden and intensive publicity campaign designed apparently to confuse the popular opinion, clearly necessitates prompt corrective measures. Our list, however, will be sufficient to demonstrate that so far as the Muslims are concerned the Allahabad scheme would render their position definitely worse than it would under the admittedly unsatisfactory provisions of the communal decision.

The Muslims in the Punjab are guaranteed 86 seats in a house of 175 by separate electorates. In addition, they are almost certain to secure one *tumandar* seat and two landlords' seats. There is also a good chance of their getting one labour seat. The total probable number of their seats is thus 90. Under the Allahabad arrangements, they are deprived entirely of the safeguards of separate electorates to which on good grounds so much importance has been attached, and are in addition required to give up sufficient seats to the Sikhs to bring their total representation down to a maximum of 51 per cent of the whole house. As the Musalmans amount to 56 per cent of the population of the Punjab, any further surrender than that required under the communal decision is manifestly impossible.

The Muslims have always considered themselves entitled to a majority in Bengal, and this the communal decision did not give them. We protested strongly against His Majesty's Government's decision in this matter at the time it was announced, and at first sight it may appear to some that the arrangements devised at Allahabad would possibly result in an improvement in the Muslim position in this province. On further examination, however, any idea that the scheme devised there is in the slightest degree practicable, completely collapses. It assumed first that the Hindus and Musalmans should combine to seize for themselves 20 or more seats which had been allotted to similar communities and, secondly, that more than twice the total number of these fortified seats should be allotted to Hindus. We have always contended that the number of seats allotted to smaller communities in Bengal, particularly to Europeans, was far too

large. But what sense there is in pretending that Bengal Europeans, who were never even represented at Allahabad, will, when approached in the matter, happily agree to their seats being reduced from 25 to 7—that is what we cannot imagine, and without their consent, the so-called Allahabad 'Agreement' regarding Bengal is completely meaningless.

The Sind Muslims demanded that Sind should be unconditionally separated from the Bombay Presidency. His Majesty's Government have accepted the principle of separation provided a satisfactory means for financing the new province can be found. The Hindu delegates at Allahabad are reported to have agreed to [*sic*] their personal capacity to separation, subject to a number of conditions and safeguards, which would seem likely to render separation either impossible or valueless. Nothing appears to have been decided on the financial issues. Separation is itself made dependent, *inter alia*, on introduction of responsibility at the Centre; and the total number of seats provisionally allotted to the Hindus in the new province is greater than that provisionally allotted to them under the communal decision. The Allahabad decision regarding Sind is thus clearly even more ambiguous and unsatisfactory than the Government's decision. All along there has been practically a unanimous demand among the Muslims for separate electorates. This the communal decision granted to them. There is no need here to go over the old ground and explain why separate electorates are necessary. At Allahabad, however, parade has been made of substituting the late Maulana Muhammad Ali's electoral formula, which Dr. Moonje rejected at the first session of the Round Table Conference, for a device of separate electorates. But in point of fact, what is proposed is radically different from what the late Maulana suggested. The principle underlying Maulana Muhammad Ali's formula was that the second-best Muslim, if he secured a minimum of 40 per cent of votes of his own community, would be deemed elected instead of the best Muslim if he got a majority of non-Muslim votes. But the Allahabad modification of the formula completely undermines the entire principle, since it provides that a Muslim getting less than 33 per cent of the votes of his own people could be elected if he secured most of the non-Muslim votes, which evidently means that the fourth-best Muslim could be elected instead of the best

one if he were supported by members of the other communities. This in effect gives separate electorates to the Hindus and joint electorates to the Muslim voters, if he [*sic*] enjoyed confidence of his own people; whereas an unfortunate Muslim candidate would always have to consider Hindu voters first and Muslim voters afterwards. The proposal is obviously ridiculous. As regards this, the Muslim demand was that in every Cabinet Muslim representation should be adequate and, as amplified by Mr. Jinnah, not less than one-third of the total. The Allahabad Committee remarks that the claims of the important minorities to portfolios in provincial Cabinets shall be recognized by convention. What this may mean is completely obscure. At the Centre they propose one seat for the Sikhs; but made no remark regarding the provision regarding the Musalmans.

Muslims demanded that they should get a share of representation in service proportionate to their representation in Legislatures. The Allahabad Committee has resolved that a committee should be responsible for deciding about appointments.

The Baluchistan Muslims demanded that reforms should be introduced in Baluchistan in the same way as in other provinces. The Allahabad Committee has decided that the method of achieving this object should be considered hereafter.

It is remarkable that whereas safeguards have been laid down under the Allahabad scheme for the Hindus in the Punjab, Bengal and Sind, no corresponding arrangements appear to have been made for Muslims in such provinces, such as, the Central Provinces and Madras where, being in greatly inferior numerical position, they need them. Safeguards corresponding to those provided for the Hindus in the Punjab, Bengal and Sind do not seem to have been secured for minority communities in the Central Legislature, where Hindus will be in an overwhelming majority. Further, the right to a decision on controversial matters is apparently to be given to the Central Legislature, thus striking a blow at the fundamental Muslim demand that residuary powers shall remain with provinces.

The above analysis which, as we have explained, is not exhaustive but sufficient to demonstrate that the Allahabad solution of the communal problem is, so far as the Muslims are

concerned, manifestly unfair and unacceptable [*sic*]. Minorities in India have very real cause for apprehension as to what may befall them from the majority under a democratic regime, and if the Hindus had a greater capacity for realistic statesmanship, they would have realized the validity of our claim for adequate protection years ago. We and they could then have marched forward in friendly co-operation, and India could by now have proceeded further on the high road to complete self-government.

Let the Hindu community give up their pose, when really actuated by communal considerations, in the sacred cause of nationalism, and all inhabitants of this great country will then be able to go forward in peace and security to a splendid future that awaits us.

Source:—*The Indian Annual Register, 1932, Vol. II: July-December 1932*, pp. 299-301.

## 34. Muslim Conference (Special Session) Presidential Address by Abdullah Yusuf Ali

*Calcutta, 26 December 1932*

He declared that Muslims could not agree 'to sacrifice clear and definite points' contained in the British Premier's communal decision for 'vague, impossible and mischievous suggestions' evolved by what he called the 'disunity conference' of Allahabad.

After emphasizing that the All India Muslim Conference was representative of all shades of Muslim opinion and had a proper organization for the election of delegates from every province, he associated himself with the decision of a joint meeting of the working committees of the Muslim Conference, the Muslim League and the Jamiat-ul-Ulema of Cawnpore at Delhi.

Referring to the Premier's communal decision, which was given "in order to remove the one great obstacle in the path of constitution-building", he said: "That decision was a very balanced one and however inadequate we may consider some of its provisions for the safeguarding of Muslim rights, we recognize to the full the desire of His Majesty's Government to do all they can to adjudicate the many conflicting claims on a fair working basis.

We have accordingly accepted it as a compromise, subject to minor adjustments in details. So have the other minorities, except the Sikhs. If controversies on these points could be set at rest, the work of constitution-building might proceed rapidly and smoothly. But this does not suit those whose minds are obsessed with direct action, civil disobedience or doctrinaire ideas of democracy and majority rule.

"Feverish attempts are being made to upset the decision. By various threatrical gestures they have produced a sort of an agreement with the Depressed Classes and have succeeded in modifying that part of the decision which related to those classes. We on the spot know exactly how these things were done and what were the tactics employed in order to achieve this object. We need not, however, waste our time in discussing that matter. If the Depressed Classes are satisfied, they are welcome to make any agreements they like. What affects us vitally is the effect of these tactics on our own position.'

"The Congress party have undertaken a bigger enterprise and tried to see if they could upset the arrangements for Muslim representation by detaching a few members of our community, lauding them to the skies, and pretending that isolated individuals, whose views have been repudiated by their community, represent their community. To do the nationalist Muslims justice, they are not such fools as not to see through such tactics. They are led on more by curiosity than by hope. But those who are using them are made of sterner stuff. They are bent upon upsetting the Cabinet's decision. As the consent of Muslims is necessary, they must "manufacture" such consent. By a blare of false propaganda they are proclaiming to the world that the Muslims have abandoned or modified their old demands. Muslim organizations with no uncertain voice have again and again protested. But the campaign still goes on, and more 'Unity Conferences', 'All Parties Conferences', and 'Agreements' are being manufactured day after day. If things are to be called by their right names, they should be called 'Disunity Conferences', 'No Parties Conferences' and 'Disagreements'. It is necessary to continue to expose such tactics with a representative and authoritative voice, and this you have met here to do.

"Nothing was signed at Allahabad, but wires were flashed all over the country and to England to announce the happy news that complete harmony had been reached. That message is going to be preached in the United States by American methods by one who has changed his opinions so often that his friends are breathlessly waiting to see what his next Big Surprise will be.

"The Cabinet's decision makes two points clear. One refers to the method of election and the other to the proportion of seats offered to us. The method of separate electorates assures at any rate the election of the men of our choice. The proportion fixed for seats shows us clearly where we stand. Apparently, a very slight increase in the number of seats is suggested by our Congress friends in Bengal, not at the expense of Hindus, but at the expense of the Europeans. The Europeans will never consent to this generosity at their expense. In the Punjab, the position will hardly be better than under the Cabinet's scheme; but it will be much more uncertain, and in any case neither the Sikhs nor the Hindus are accepting it. As regards the separation of Sind, the Congress have so little belief in mutual confidence that they are asking for safeguards more onerous and crippling to the administration than ever the Muslims have asked for in any province where they are in a minority. And the whole is made dependent on other conditions, such as responsibility at the Centre, which may take a long time to materialize. We are asked to sacrifice clear and definite points for vague, impossible and mischievous suggestions.

"The motives are obviously to manoeuvre the dupes of propaganda into thinking that all India is in a state of united political despair, that all India is anxious for the release of Mr. Gandhi, and that all India intransigently demands the humble submission of the British people on their bended knees to threats of violence and civil disobedience. Let us assure all whom it may concern that India is not so bankrupt in statesmanship.

"Our representative organization is in a position to state confidently that not only the Muslims for whom we speak, but we believe large masses of people in India have enough common sense to work for attainable objects; that breaches of law and order and the consequent political and business unsettlement are bad in India's own interests, as is shown by the fact that the

representative Legislative Councils of the country are willing to pass all reasonable measures for public security; and that the good sense of our people will always reciprocate feelings of good-will and grasp the hand of friendliness if extended on equal terms.

"While we are prepared to accept the communal scheme, we cannot help expressing our disappointment at the fact that our 54 per cent majority in Bengal does not receive any thing like its proportionate share of representation in the Council.'

"In Special Constituencies, Bengal is far ahead of other provinces in the number of seats it assigns to Trade and Commerce. In the Indian Franchise Committee's Report, it gets 15 seats for Commerce. There are 11 seats for European Trade and Commerce, and 4 seats for Hindu Trade and Commerce. The Muslim Chamber of Commerce recently started is entitled to a seat in this special representation.

"For the landholders' constitutency there are 5 seats, one for each division. If the two divisions of Dacca and Chittagong are made into a joint plural constituency with two members, it would leave the total number of seats unaltered and would give a better chance to the Muslim landholders.

"With regard to the electorate of the Dacca University we should like to see the electorate for the Council changed from the graduates to the Senate.

"At the Round Table Conference our delegates are putting in a strong plea for our representation in the Central Legislature and Executive to the extent of 33 per cent, and for the assignment of residuary powers to the provinces. I hope you will consider this point and confirm the decisions that have already been arrived at. An assured position in the Central Legislature and Executive is necessary to safeguard our helplessness in the minority provinces.

"It is not necessary for our delegates to insist upon responsibility being introduced in the Centre simultaneously with provincial autonomy. That would hold up the whole scheme. If the Centre is to be an All-India Federation including the Indian States, there would be many fences yet to be negotiated before the Federation comes into being. Federal finance and taxation raise intricate issues. The constitution and powers of a Federal

Court will form another subject of lively controversy. The representation of States and British India in the Federal Legislature will also require very careful consideration on both sides. When the scheme is complete in every detail, the States will have to consider, each singly, whether it will join the Federation on these terms or not. It is not to be supposed that the States can or will be coerced. All these considerations make it probable that some time will elapse before a Federal Constitution can come into working order. Our attitude should be not to hold up provincial autonomy indefinitely for the sake of the principle of responsibilities [*sic*] in the Centre, although we shall fully co-operate in working for a liberal constitution for the Central Government.

"Our firm action in making a stand for separate electorates must not be understood to bar all progress in the future. Our experience with joint electorates, wherever they have been tried, has been bitter; but no man of any knowledge or experience will consider joint electorates a practical proposition for the minorities at the present day. Even the supposed joint electorates which the Nationalists in Allahabad are talking about are hedged round with so many formulae and conditions that they become separate electorates in disguise. They have all the disadvantages of separate electorates and none of the advantages. Is there any advantage in throwing away, for such shadowy formulae, the substance of what we have achieved by laborious discussion during the past three years or more?"

Mr. Yusuf Ali added that true nationalism consisted not in ignoring the wishes of the minorities, but in meeting them in a liberal spirit. He concluded with a plea for unity and discipline in the Muslim community.

Source:—*Civil and Military Gazette*, Lahore, 27 December 1932.

## 35. Muslim Conference Resolutions

*Calcutta, 28 December 1932*

The Conference reassembling on the day after next, the 28th December, resolutions not accepting the Allahabad pro-

posals and welcoming the announcement of the separation of Sind and Orissa were passed.

Mr. Husain Imam moved another resolution demanding 20 per cent seats for Muslims in the Bihar legislature, since Orissa was to be created a separate province and the proportion of Muslims in Bihar had increased.

Maulana Shafi Daudi next proposed that since joint electorate was being proposed for the Senate in the Central Legislature, the Conference protests and urges elections to the Senate to be by separate electorate.

The last resolution expressed disappointment at the Premier's decision not reserving an absolute majority of seats for Musalmans in Bengal and urging rectification of the injustice. Another part of the same resolution urged the percentage of Musalmans which had been decreased by the Premier's award in Assam, Central Provinces and United Provinces legislatures to be increased to the previous percentage.

Source:—*The Indian Annual Register, 1932, Vol. II: July-December 1932*, pp. 338-339.

## 36. Muslim Conference Executive Board Resolutions

*New Delhi, 26 March 1933*

1. This meeting of the Executive Board of the All India Muslim Conference expresses its profound disappointment with the scheme of reforms outlined in the White Paper. In the opinion of the Board, the said scheme fails to meet the demands of the Muslim community as embodied in the various resolutions of the All India Muslim Conference. In view of the extreme dissatisfaction of the Muslim community with the proposals of His Majesty's Government, the Board demands radical changes on the following lines:

(a) The Provinces should be granted the largest measure of fiscal, administrative and legislative autonomy.

(b) The Governors' powers are excessive and should be severely curtailed.

(c) Ministers should be fully responsible to the legislature, and should hold office only so long as they enjoy the confidence of the House.

(d) Provincial Governments should have effective control over the Imperial Services and complete control over the provincial and other services.

(e) The powers of the Governor-General should be curtailed.

(f) High Courts should be an exclusively provincial subject. The appointments of High Court judges should be made by His Majesty on the recommendation of the Provincial Governors. The provincial legislatures, and not the federal legislature, should regulate the power of superintendence exercised by the High Court over subordinate courts in the province.

(g) No weightage or other privilege should be given to the States.

(h) Fundamental safeguards for the protection of the personal law, education and culture of the Muslims should be incorporated in the constitution.

(i) Provision should be made for effective representation of Muslims in the public services and the army, and immediate steps should be taken to Indianize the army.

(j) As Muslims claim one-third representation in the Upper Chamber of the Federal Legislature and have been definitely promised one-third of the British Indian share of the seats and cannot see any effective way of securing a sufficient number of seats among the representatives of the States to make up this proportion to one-third of the whole House, it is their considered opinion that a slightly increased proportion over one-third of the British Indian share is essential. Muslims further disapprove of the principle of joint electorate in the elections to the Upper House of the Federal Legislature, and are for separate electorates with direct elections.

(k) A substantial measure of reform should be immediately introduced in Baluchistan.

(l) One seat allotted to Delhi in the Upper Chamber should go to Muslims and non-Muslims by rotation.

(m) The population of Delhi and Ajmer being equal, Ajmer should have the same measure of representation in both the Houses of the Federal Legislature as Delhi, such representation to be regulated by the same principle as in Delhi, and when represented by a Muslim the other should be represented by a non-Muslim in the Upper Chamber and *vice versa*.

(n) In as much as His Majesty's Government's decision promised to give to the Muslims of Bihar and Orissa 42 seats out of 175, *i.e.* 24 per cent of the whole House, by separate electorate, the proportion thus fixed should on no account be changed, and seats be so allotted to Muslims in the province in both the provincial legislatures that the total proportion of 24 per cent be undisturbed.

(o) The representation accorded to Commerce should include the Muslim Chamber of Commerce in Bengal and Bihar as electoral units in their respective provinces.

(p) The electoral qualifications of the landholders' constituency should be reduced in Bengal and Bihar, and single-seated constituencies be changed into multi-seated ones in each province by the single transferable vote.

Source:—*The Indian Annual Register, 1933, Vol. I: January-June, 1933*, p. 414.

## 37. Memorandum on behalf of the All India Muslim Conference and the All India Muslim League to Joint Committee on Indian Constitutional Reform, 1933

*London, 1 August 1933*

1. The political awakening among the Indian Muslims took definite shape in 1906 when a deputation of leading representative Muslims waited on Lord Minto under the leadership of H.H. the Agha Khan in connection with the contemplated reforms which afterwards came to be designated the Minto-

Morley Reforms. This was the nucleus from which was formed the influential body known as the All India Muslim League. This body played an important part in the evolution of the Montford Scheme and generally guided the political policy of the Indian Muslims.

2. The publication of the Nehru Report in 1928 caused widespread dissatisfaction amongst the Muslims of India and it was considered desirable to organize all the existing All India Muslim political associations into one compact body representing all shades of Muslim opinion, including the *Ulama*, so as to provide a common political platform. This body was named the All India Muslim Conference. Its first meeting was held in Delhi under the presidency of H.H. the Agha Khan and was attended by delegates from all over the country representing all shades of Muslim political thought.

3. The Muslim Conference as well as the Muslim League aim at safeguarding the legitimate rights and interests of the Muslims of India and co-operating with other communities for the political advancement of India. These rights are embodied in the fundamental Resolution of the All India Muslim Conference passed at Delhi on January 1st, 1929. The Muslim attitude towards the system of government to be established in India may be summed up in the following extract from the first paragraph of that Resolution:—

> 'The only form of government suitable to Indian conditions is the Federal system with complete autonomy and residuary powers vested in the constituent States, the central government having control only of such matters of common interest as may be specifically entrusted to it by the constitution.'

4. This Resolution embodies the political programme of the Muslims of India, and the Muslim community has adhered to it in overwhelming strength. In India it is the creed of an overwhelming number of Muslims in every province, while in England, at the three Round Table Conferences which were held in the years 1930-1932, the Muslim delegates regarded it as the most authoritative and representative expression of Muslim feelings and aspirations.

5. The attitude of the community towards the White Paper will be made perfectly clear by the Resolution passed by the Executive Board of the Conference, held at Delhi on March 26th, 1933.

6. As the White Paper does not embody a number of rights which the Muslims deem to be vital to their political interests, they urge that it should be modified to that extent.

7. The Muslims have consistently discouraged unconstitutional action, and believe in co-operation with all the elements of the Indian population for the purpose of making the new Reforms a success. They think, however, that the scheme outlined in the White Paper will not be a complete success until the Muslim community is assured of those rights which the White Paper has ignored. The Muslims earnestly request His Majesty's Government to modify the White Paper along the lines indicated in the Resolution of the Executive Board of the Conference passed on March 26th, 1933 at Delhi. If the suggestions made in the Resolution are adopted, the Muslim community throughout India will render substantial help in making the new scheme a success, and in heartily working the new Constitution.

8. Copies of the fundamental Resolution of the Conference passed at Delhi on January 1, 1929, and the Resolution of the Executive Board of the Conference on the proposals of His Majesty's Government embodied in the White Paper, passed at Delhi on March 26, 1933, are enclosed herewith.

9. We would lay particular stress on the following points:—

## I. INTRODUCTION OF REFORMS

There should be no delay in the introduction of Provincial Autonomy. If the pre-requisites for the setting up of Federation as laid down in the White Paper (Introduction 12, 13 and 32) are likely to take a few years, the Muslims are strongly of opinion that Provincial Autonomy should not be held up.

## II. THE FEDERATION OF INDIA

We feel that there are great difficulties in working out an All-India Federation in which the Indian States must necessarily influence British Indian policy while British India will be precluded from interfering in the internal affairs of the States. We

therefore urge that as many subjects as possible should be transferred to the Provinces, and as few retained for the Federal Centre as possible. It should be specifically laid down in the Constitution that the residuary powers should be vested in the Provinces.

## III. FEDERAL LEGISLATURE

### (a) THE LOWER CHAMBER OR HOUSE OF ASSEMBLY

Muslim representation in the House of Assembly must be effective and adequate. The demand of the Musalmans for one-third representation in the Central Legislature was made at a time when an All-India Federation comprising both the States and the British Indian Provinces was not within the range of practical politics. When, as at present, it is intended to give considerable representation to the States, one-third of the seats of the British Provinces, if reserved for Muslims, will give them about 22 per cent of the whole House. In order to rectify this and to give the Muslims their due influence in the Legislature, the Musalmans should be guaranteed one-third of the total number of seats in the whole House. The seats awarded, namely, 82 out of 250 are even less than one-third of the British Indian seats.

### (b) UPPER CHAMBER OF COUNCIL OF STATE

(i) The election to this Chamber should not be through joint electorates by the method of the single transferable vote, but through separate electorates, the Muslim members of the provincial legislature forming a separate constituency for each Province.

(ii) The Muslims should be specifically guaranteed one-third of the seats of the whole House as in the lower chamber.

(iii) No seats should be filled by nomination.

### (c) FRANCHISE FOR THE LEGISLATURE

Women should not be given the vote in the right of their husbands.

### (d) LABOUR REPRESENTATION

We should like to see Labour being effectively represented. Special representation should be given to maritime Labour (Seamen) in as much as maritime shipping and navigation are

proposed to be an exclusively federal subject. Similarly inland mariners working on mechanically propelled ships on inland rivers (also proposed to be made an exclusively federal subject) should be given special representation.

(e) MINISTERS' SALARIES

These should be a votable item.

## IV. GOVERNOR-GENERAL'S RELATIONS WITH THE LEGISLATURE

There is no reason why the Governor-General should be given the extraordinary power of making Acts, a power which is fundamentally subversive of all principles of responsible government and would have the effect of depriving the elected representatives of the people of their exclusive right to legislate.

## V. SPECIAL RESPONSIBILITIES OF THE GOVERNOR-GENERAL AND GOVERNORS

It should be clearly laid down in the Constitution that the special powers vested in the Governor-General for safeguarding the financial stability and credit of the Federation and the prevention of commercial discrimination and in the Governors for the latter purpose, should not be used in such a way as to prejudice the growth of Indian commerce and industry, nor should the special powers with regard to peace and tranquillity be used unless there is wide-spread danger.

## VI. GOVERNORS' PROVINCES

(a) PROVINCIAL AUTONOMY

The principle of giving full autonomy to all the Provinces having been admitted, it is not necessary to say anything further under this head. But as it has been suggested in some quarters that law and order should be reserved in some Provinces, we would like to stress the extreme inadvisability of making any invidious distinction in this matter, as between the Provinces.

(b) GOVERNORS' ACTS

Consistently with the principle of provincial autonomy, the provincial legislature alone should have the power of making Acts, and the Governor should have no special powers in that behalf.

## VII. PROVINCIAL LEGISLATURES

### (a) MUSLIM REPRESENTATION IN THE PROVINCES

While we realize that the Communal decision has been necessitated by the inability of the communities in India to come to an agreement with each other, and while we are in general agreement with the principles underlying that decision and are prepared to work the Constitution on that basis, we feel it our duty to point out that the Muslims have not been fairly treated.

In the first place, the well-recognized principle that no majority should be reduced to the position of a minority, or even to that of equality, has been departed from in the case of Bengal.

Again, the weightage enjoyed by the Muslims in the Provinces where they are in the minority has been reduced in nearly all cases.

As regards the new province of Orissa, which was not dealt with by the communal decision, the weightage given to Muslims is inadequate and ineffective. Their position ought to be reconsidered.

### (b) UPPER CHAMBERS

There should be no Upper Chamber in Bengal. The Legislative Council and public opinion have declared themselves to be emphatically against it.

Further, there should be no nominations in the Upper Chamber.

### (c) PROVINCIAL FRANCHISE

(i) *Re Women*: The same remarks as in the case of federal franchise. The women should vote in the separate communal electorates of the communities to which they belong.

(ii) *Universities*: The electorate should consist of the members of the Senate or the Court as the case may be.

(iii) *Commerce*: Muslim Chambers of Commerce, wherever existing, should form separate electoral units in their respective Provinces.

(iv) *Landholders*: The electoral qualifications of landholders in Bengal and Bihar should be reduced and instead of

there being several single-seated constituencies, there should be only one many-seated constituency for each of the two Provinces, the election taking place by the method of the single transferable vote.

(d) MINISTERS' SALARIES

Ministers' salaries should be made votable and the Ministers should be fully responsible to the Legislature, and should hold office only so long as they enjoy the confidence of the House.

(e) MUSLIM MINISTERS

There should be at least one Muslim Minister in every Province in which the Muslims are in a minority.

(f) CONTROL OF PROVINCIAL GOVERNMENTS OVER THE SERVICES

Provincial Governments should have effective control over the existing All-India Service officers, and should have complete control over future All-India Service officers and over all existing and future Provincial and other Services.

(g) REFORM

A substantial measure of Reform should be immediately introduced in Baluchistan.

(i) *Delhi*: Delhi as the ancient capital and the present metropolis of India, has a special importance of its own, and this importance is likely to grow more and more. It should have a franchise analogous to the franchise in the Presidency towns.

The one seat allotted to Delhi in the Upper Chamber should go to Muslims and non-Muslims by rotation.

(ii) *Ajmere-Merwara*: Ajmere-Merwara should, like Delhi, have a Muslim seat in the Lower House by separate election and a Muslim and non-Muslim seat by rotation in the Upper House of the Federal Legislature.

## VIII. RELATIONS BETWEEN THE FEDERATION AND THE UNITS

(a) Residuary powers should vest in the federating units (see II above).

(b) *Division of subjects*: As many subjects as possible should be allotted to the Provinces (see II above). With special reference to White Paper, Appendix VI, List I:—

"17. Shipping and Navigation on Inland Waterways as regards mechanically propelled vessels" should be entirely a Provincial subject where the operations are confined to a single Province; where more than one Province is concerned this jurisdiction should be concurrent.

49. Income Tax—This should be made a Provincial subject.

50, 51 and 52. Death Duties, Taxes on Mineral Rights, Terminal Taxes, etc.—These should be allotted to the Provinces from which they are derived, and not merely distributed.

54. Imposition and Administration of Taxes not otherwise specified in List I or II.—This should be Provincial.

There are some subjects which may, with advantage, be made concurrent, *e.g.*, 14, Inland Waterways passing through two or more units, and 15, Maritime Shipping.

As regards item No. 2, in List III, Civil Procedure Code, no modification made by the Central Legislature should be enforced in any particular Province unless the Local Legislature of that Province has itself adopted that modification by a vote of the House.

## IX. THE JUDICATURE: HIGH COURTS

The High Courts should be entirely a Provincial subject. The judges should be appointed by His Majesty on the recommendation of the Governor. There should be no additional judges. Temporary judges may be appointed as may be necessary by the Governor.

Every judge retire at the age of 60.

The Provincial Legislature and not the Federal Legislature should regulate the powers of superintendence to be exercised by the High Courts over the subordinate judiciary in the Province.

## X. STATUTORY RAILWAY BOARD

The Railway Board have an Advisory Body on which all Provinces should be fully represented.

## XI. SERVICES

Provincial Governments must have full control over all who serve under them. The rights and privileges of the present incumbents of the All-India Services should be guaranteed, but future recruitment for the Provinces should be placed in the hands of the Provinces. If necessary, the minimum qualifications of candidates may be laid down, and they should be recruited by Provincial Public Services Commissions, on the same lines as in England.

While we welcome Indianization, we strongly urge that the Muslims should have a full and adequate share in all grades of the Public Services, including the Army and other forces of the Crown. The inclusion of the large Muslim community under the general heading of Minorities has very much prejudiced the interests of the Muslims, as they have been treated on the same plane as numerically insignificant minorities.

To ensure the due representation of Muslims, we urge that the proportion of Muslims in the Services should reflect their proportion of representation in the several legislative bodies.

We would call special attention to the wholly inadequate representation of Muslims in the All-India Services, particularly the Railways, the Posts and Telegraphs, and the Accounts and Audit Departments. The Muslim employees should, in view of the fact that their rights have frequently been ignored, be accorded the right of being heard through their own recognized Trades Unions and Associations, as they have failed to secure the redress of their grievances through general Trades Unions and Employees' Associations. We ask that specific reference should be made to this matter in the Instruments of Instructions.

## XII.—FUNDAMENTAL RIGHTS

We regret to note that no provision has been made for incorporating in the Constitution Act a declaration of Fundamental Rights. It is stated (Introduction 75) that "his Majesty's Government see serious objections to giving statutory express" to large declarations of this kind but no objections have been specified and it is therefore not possible to meet them. It must however be stated that Muslim opinion in India is strong about

the necessity of providing proper safeguards for the protection of Muslim religion and culture, education, languages and law, and this can only be ensured if a provision to that effect is embodied in the Constitution Act.

Source:—Joint Committee on Indian Constitutional Reform [Session 1932-33], Volume II C, *Minutes of Evidence given before the Joint Committee on Indian Constitutional Reform*, London, 1934, pp. 1475-1478.

## 38. All India Muslim Conference and All India Muslim League Evidence before the Joint Committee on Indian Constitutional Reform

*London, 1 August 1933*

*Chairman*: I shall invite my colleagues to put their questions to you and reserve my own until I see what they propose to ask you.

*Mr. Isaac Foot*

9376. In paragraph 7 you state that unless the suggestions you make are adopted you do not think the scheme contained in the White Paper can be a success.—That is so because there would be difficulties.

9377. You say later: "If the suggestions made in the Resolution are adopted,"—that is, the Resolution passed at Delhi—"the Muslim community throughout India will render substantial help in making the new scheme a success, and in heartily working the new Constitution." I would like to put this question. Of course, you recognize that the proposals contained in the White Paper have been made by the Government having regard to the many conflicting claims in India.—Quite so.

9378. Supposing the Government and this Committee came to the conclusion that the proposals as contained in the White Paper were the fairest having regard to all the conditions, would you still be prepared to co-operate in working that scheme?—The position of our conference is that we hope modifications will be made, but if by any chance no modifications are made, or

modifications are made which are not satisfactory to us, we shall have to reconsider the question in general meeting.

9379. Under Heading III C: "Franchise for the Legislature," you state that women should not be given the vote in the right of their husbands.—That is so.

9380. Would you amplify that? What is the ground of your objection there?—We think that the vote should be a matter of personal qualification, not a matter of vicarious qualification.

9381. Of course, that is a very substantial element in the Franchise proposals contained in the White Paper—the wife's right to vote as the wife. Do you attach importance to your suggestion here? Is it a very important part of your recommendations?—Our point is that the wife should vote if she has a qualification for herself, but merely to make it a question of voting because her husband votes doubles the vote in many cases of the husband.

9382. Is there anything in that claim that is peculiar to the Musalman population of India, or is it simply a political point?—I think it is mainly a general question, but there is also this question, that, by our social system, the women come out less than in other communities, and therefore our political influence will be prejudiced.

9383. That is, *purdah*, so far as it exists, affects the Musalman population so much more than the Hindu population. —Exactly.

9384. Can you give us any information as to the extent to which *purdah* is disappearing?—I think it is disappearing gradually, but it will take a long time before it will completely disappear.

9385. To the extent that *purdah* does disappear, the ground for your objection here stated is removed.—Not entirely, because we take the first ground as the more important.

9386. The first ground is that the woman ought to vote as an individual and not because of her husband's qualification. —Exactly.—*Sir Mohammed Yakub*: My Lord Chairman, may I be allowed to express my views rather elaborately on this question?

9387. *Chairman*: Please.—My views, Sir, as regards the enfranchisement of women, far be it from me to impose any inferiority of status on the women folk of my country. Indeed, as a Musalman, I am compelled to allow her full equality of status. I would therefore like to place women on the same level as men, and I would have the same qualifications for them relating to property or education as for men. I think it would lower the prestige of a woman if she were placed on the electoral roll only because she happens to be the wife of a certain man elector. Then again in India polygamy is not very unusual, and it would be highly illogical to give the vote to one wife, and deprive the other having the same legal and social status. Then again I consider it to be very unjust to deprive a woman of her vote, after using it for a very long time, as soon as she loses her husband. Also I do not see any reason why the wife of an ordinary voter should have the right to vote while the mother, or the wife of a soldier, or a policeman, who has rendered valuable services in the defence of the country, or lost his life in the service of the Crown, should be deprived of it. I am therefore entirely opposed to creating any artificial qualifications for women other than those, or in addition to those, of men.

*Mr. Issac Foot*

9388. Is that an individual opinion, or is it the considered opinion of the Deputation?—I think this opinion is shared by a majority of the witnesses here, and by an overwhelming majority of the Musalmans in India. I have in my hand the "Star of India" dated 6th July, 1933, and here is a passage from Simla. They say: "It might seem unchivalrous that educated men in India should venture to criticize the views expressed by representatives of Indian women when they addressed public meetings of women in England, but the fact cannot be overlooked that the views expressed by them on the question of electorates for women do not seem to have met with the approval of a large number of Muslim politicians in this country. Those few Indian women, who are now carrying on a campaign in England in favour of joint electorates have laid great stress on the views expressed by Women's Association in India, but they have altogether ignored the views expressed by leading Muslim politicians. No one will deny that the women of India who have

been doing public work have endeavoured to keep out the communal question from entering the women's movement. No one will deny that Indian women's representatives, without exception, urged before the Indian Franchise Committee that women's representatives in the Indian Legislature should be there, not as members of particular communities, but as representatives of women of all castes and creeds. What, however, Indian women's representatives forget is that the leaders of those communities which have demanded, and which have been given, separate electorates under the Communal Decision have insisted on separate electorates because they know that a sufficient number of true representatives of their communities will not be returned except through the system of separate electorates. For some years after the introduction of the next reforms until the representatives of all communities are able to sink all communal differences, numbers would and should count in the Legislatures, and the leaders of the Muslim community cannot be blamed if they insist that Muslim women should be bracketed with their men, and that they should not be allowed to go outside their community." This passage, I think, represents the views of the Muslim leaders, at least, a very large majority of them in India. —*Mr. Abdullah Yusuf Ali*: My Lord Chairman, may I add two remarks. One is that a certain number of India women themselves take the view that their qualification should be individual and not in virtue of their husbands' votes. Secondly, the point urged by my friend no doubt has been urged in various places in India, but it has never been placed before our Association as a whole.

*Begum Shah Nawaz*

9389. May I ask a supplementary question on that? Is this view shared by the Muslim women as well?—The view that they should not have the vote in virtue of their husband's qualification?

9390. No I am referring to what Sir Mohammed Yakub said in his statement this morning. Has this statement the support of the Muslim women in my country?—*Sir Mohammed Yakub:* A very large number.

9391. Could you name some of them, please?—It is difficult

to give the names here, but I can point out certainly and definitely that this is the view of a large number of Muslim women in India.

9392. We have an All-India Muslim Ladies' Conference. Could you tell us of any resolution that Conference has passed in support of your views?—You know it better than I do, Madam. —*Khan Sahib Haji Rashid Ahmad*: May I quote a resolution passed by the All-India Muslim League: "The All-India Muslim League does not view with satisfaction the decision of His Majesty's Government that the right of franchise be given to women in the Provincial Legislatures in respect of their husbands' property, as such qualifications are only a breach of principles of true representation. The League is of opinion that every individual, male or female, must be qualified with his or her own merits and not upon the merits of others."

9393. Was I not present at that meeting when this resolution was carried?—I do not know whether you were present or not.

9394. May I know whether it is the opinion of your organizations that women should get the vote in their individual right or whether you are against the extension of the franchise to women even in their individual right?—No, we are not against it.—*Sir Mohammed Yakub*: We have explained that we want the women to have the same qualifications as the men. We do not want any artificial qualifications for women.—*Mr. Abdullah Yusuf Ali*: In other words, we want equal status.

*Mr. Zafrulla Khan*

9395. You do not desire that any disqualification should be imposed on women merely on account of their sex!—No, certainly not.

*Marquess of Lothian*

9396. When you say equal status, do you mean equal rights? —The same qualification for women as for men.

9397. The word used was 'status'. I wondered if you want women to have equal rights with men.—As regards franchise.

9398. But not as regards representation.—Yes, I think so.

9399. Would you say that a system which in fact only put one woman on the roll to twenty men was giving them equal status?—I think that is a wrong way of approaching the problem. We want to treat every citizen on his or her own merits. I think that it is wrong to say you must have a certain number. It is quite conceivable that when our women are educated and come out, they may have the same number on the electoral rolls as the men, or possibly they may even exceed the men as they do in England.—I am not opposed to that personally.

9400. You do not apply that principle to the men, do you, as far as the joint electorates are concerned?—That is because of the peculiar conditions in India.

9401. Surely it is a very peculiar condition if only one woman in twenty is on the roll, when you say you want them to have equal status?—Yes, but I think the proportion will increase every year and I hope it will increase.

9402. How will it increase under the White Paper scheme? —Surely as education increases amongst the women it must increase.

9403. But the education amongst men is much larger than among women, especially in the higher ranks, and the disparity will increase, not lessen.—I do not think so.—*Sir Mohammed Yakub*: Their disparity was not considered objectionable in England. What was the percentage of women voters in England when you started your first reforms and what is the number of women members in the House of Commons to-day?

*Begum Shah Nawaz*: Their proportion in this country was three to four.

*Sir Austen Chamberlain*: We have a qualification in this country, if it is of any interest to the witnesses, where the wife's qualification is by reason of her husband having a certain qualification.

*Sir Joseph Nall*: Also there are certain cases where the husband has a vote by virtue of his wife's qualification.

*Begum Shah Nawaz*

9404. If nothing is to be done even after taking into consideration the peculiar conditions present in India with

regard to the women voters, should any weightage be given to the minorities?—*Mr. Abdullah Yusuf Ali*: May I say as regards the minorities, the question is rather on a different level. In my view (I am speaking individually because this point has not been considered together) there is no real difference of interests as between the sexes, and hence the world has got on for centuries without any votes to women. I think it is right that under modern conditions the women should have a vote, but it is only a matter of convenience and status. I do not think that the interests of the two sexes are so opposed that we need meticulous care in fixing the proportions, or anything of that kind.

9405. Is not it a fact, Yusuf Ali, that Islam was the first religion to recognize equality of status between men and women; that for the first time in history the word '*musawat*', meaning 'equality', was used as far as the rights of citizenship go?—That is true, and it is one of the cardinal principles of Islam to give equal status to women and men.

9406. Is it not a fact that, even as far as the divorce laws are concerned, if an agreement is entered into by both the parties at the time of the marriage and the husband delegates his right of divorce, the woman has equality given in that sphere?—That is true to a qualified extent. I cannot go into details of law, but it is perfectly true to a qualified extent.

*Marquess of Zetland*

9407. Mr. Yusuf Ali, would you turn for a moment to Section VII of the Memorandum that has been put in. You say you feel it is your duty to point out that in the matter of representation in the Provincial Legislatures the Muslims have not been fairly treated and you give two specific examples of that. You say that in the case of Bengal "the well-recognized principle that no majority should be reduced to the position of a minority, or even to that of equality, has been departed from." That is the first case you give. Then you give the case of the Province of Orissa and you say that, "As regards the new Province of Orissa, which was not dealt with by the communal decision, the weightage given to Muslims is inadequate and ineffective." First of all, with regard to Orissa, the figures which we have been given show that the Muslims form 1.9 per cent of the population and that the representation which they are to be given in the Legislature

will be 6.7 per cent of the total number of seats; that is to say, the weightage which they are to be given is 3½ times the ratio of population. Now what I want to know is, if you consider that that weightage is not sufficient, how much would you require?—Where the minority is very small, an exact proportion is difficult to fix, but I should like to give an instance in the contrary direction of Sind and the North-West Frontier Province. There the Musalman majority is overwhelming, and the Hindu minority is very small, but we have given them willingly a little over three times the percentage; and I think in Orissa, too, without naming any exact figure, it is necessary, in order that the Muslims should have some weight in the consideration of local matters, that they should have rather more than the miserable four members.

9408. Let me take the very case you have mentioned, the North-West Frontier Province. You say that you have willingly conceded to the Hindus a weightage of three times the ratio of their population.—More than three times.

9409. 3.1 times actually.—Yes.

9410. But in Orissa, you have been conceded 3.5 times. If you think that in the case of the North-West Frontier Province you have treated the Hindus generously by giving them a weightage of 3.1 times the population ratio, why do you think that the Muslims in Orissa have been treated unfairly, when they have been given a weightage of 3.5 times their population ratio?—There are two answers to that. In the North-West Frontier Province, I believe (I have not got the figures here), your proportion is the non-Muslim population, not the Hindu population. There are the Sikhs in the North-West Frontier Province, and that complicates matters. In Orissa there are just the two communities, the Hindu and the Muslims and, therefore, a fair comparison would be to take the Muslim and Hindu in both cases. Secondly, where the minority is very small, under 2 per cent, if you give them an equal weightage, it yet follows that their influence is almost negligible; you ought to give them a little more weightage. After all, supposing you give them representation of 10 per cent in Orissa, that does not give them any preponderating voice, but, on the other hand, it would give them six members who can voice Muslim feelings. I hope that is clear, Sir. The smaller the numbers, the greater the weightage.

*Mr. Butler*: I think, my Lord Chairman, on that point the Sikhs in the North-West Frontier Province are actually separately represented. If you will turn to page 93 of the White Paper, you will see that they have three seats. They are actually 1.8 of the population, and they receive 3.3 times the population ratio in the weightage.

*Marquess of Zetland*

9411. However, you have given me your answer, and I do not say whether I consider it a satisfactory answer, or not. Your view then, at any rate, is that in all Provinces the minorities ought to be given weightage.—Certainly.

9412. Now let us turn on to Bengal. In the case of Bengal, the Hindus are in a minority.—But they are almost on terms of equality. As regards Bengal, I think my friend, Mr. Suhrawardy, will be able to answer it.

9413. Almost on terms of equality, but not quite; they are in a minority.—They are in a slight minority.

9414. So that according to your principles, they would be entitled to some weightage in the Legislature.—Certainly not, because if you give them weightage, our majority goes. It has gone already. In Bengal where we have a numerical majority in the Province, we have been reduced to a minority in the Province, and our principle that weightage should be given to minorities is on condition that no majority should be reduced to a minority or to a position of equality.

9415. That brings me to a point which I really want to bring out, and that is this, that in the case of a Province like Bengal, where it is agreed on all hands that a certain number of seats must be reserved for the representation of special interests or the representation of Europeans, of commerce and industry, and all things of that kind, it is really in those circumstances impossible to grant either to the Muslims or to the Hindus the full number of seats which they would be entitled to on a purely population ratio. Is that not so?—That would be so; but the main principle must not be lost sight of, that where we come to a government by a majority, you must not convert that majority into a minority. Subject to that, we would agree to any modifications.

9416. But then, what you are claiming in Bengal is this, that the Muslims should have a majority not only over the Hindus, but over the representatives of every other interest combined.—They should have a sufficient majority for the will of the majority of the people to prevail.

9417. If we are going to act upon that principle, that means that in Bengal you are going to reserve to the Muslims a permanent majority in the Legislature, are you not?—Just as you have reserved to the Hindus a permanent majority in all the other Provinces where they are in a majority.

9418. That is a different question. The Hindus, I agree, will have a majority in many Provinces, but only because the Muslims insist upon having separate communal electorates. But do let us, for a moment, if you do not mind, confine ourselves to Bengal. I do not approach this question either as a Hindu or as a Muslim; I approach it as a neutral, and I should dislike intensely any final solution of this question in Bengal which would be likely to leave a feeling of unassuagable bitterness between the two major communities in that Province, the Hindus and the Muslims.—We should dislike it, too.

9419. It is quite clear from the evidence we have already had, that the position which is proposed to be given to the Muslims in the Legislature in Bengal will leave feelings of deep resentment and bitterness amongst the Hindus in that Province. —I do not think so. The whole agitation is artificial.

9420. I do not expect you to think so, but I am telling you what the Hindus think, or, at any rate, the impression which the Hindus have created upon my mind. That being so, I want to put to you this suggestion: Would it not be a fair solution of this problem in Bengal, which is admittedly an extraordinary difficult one, if you were to put aside all those seats which give representation to special interest, and, having done that, to divide the remaining seats, which are open to Muslims and Hindus, between those two communities on a population basis?—The difficulty with that is that we shall never be able to get the will of the people to prevail.

9421. Of course, it depends on what you mean by the will of the people. When you talk about the will of the people, you are talking about the will of the Muslim community. I mean,

after all, the Hindus, as you say, form a very large part of the population of Bengal; I think you said nearly on an equality; but if you wish to have an arrangement under which the Muslims will have a permanent majority in the Legislature, how is the will of the Hindus ever to have any chance of enforcing itself at all?—In the same way as the will of the Muslims will have a chance of enforcing itself in the United Provinces, although they have only one-third representation.

9422. We are getting back to other Provinces.—We must consider India as a whole, must we not?

9423. An arrangement of that kind would not be satisfactory to you; you would not consider that you were being fairly treated under an arrangement of that kind.—No.

*Marquess of Salisbury*

9424. I understand from the conversation which has already passed that you realize how difficult the situation in Bengal is.—Certainly.

9425. And you criticize very much the arrangements which are provided in the White Paper.—Yes.

9426. I think you have answered this question. If you are asked whether you are prepared to abide by the White Paper, you say you would take that into reconsideration.—I have answered it.

9427. I apologize for putting the question again, therefore. I suppose you do not look upon the White Paper settlement as permanent.—Nothing is permanent in politics.

9428. Indeed, not. I mean, really, if the White Paper were passed in its present form, would you try to modify it afterwards? We have indicated where we feel extremely dissatisfied with it, and if we had the power, we should certainly try to set it right.

9429. How would you proceed to set it right?—If we had the power, I do not know what fetters will be imposed upon the future Indian Legislature, but we have already indicated the big points in which we think it should be set right. It is unjust that our representation in Bengal should reduce us to a minority where we are in a majority.

9430. Would you go to the new Central Assembly and try to get them to alter it?—If they had the power.

9431. Would you approach the Imperial Government to alter it?—That all depends upon the form which the future Constitutional machinery takes.

9432. I am assuming that it passes in the form of the White Paper.—Then our Central Indian Legislature would probably not be favourable to us. We shall be in a minority.

*Marquess of Salisbury*: I think that is so.

*Mr. Zafrulla Khan*: If Lord Salisbury will excuse me, could he point out where the White Paper describes where constituent powers will vest? Lord Salisbury has said his question is that if the White Paper scheme is passed, we would be approached for a modification under the White Paper. So far as I have been able to study the White Paper, the White Paper does not say where constituent powers will rest for the modification of these proposals. If they are not in the White Paper, surely the question does not arise? If they are, I hope Lord Salisbury will set me right.

*Marquess of Salisbury*

9433. I think it is in paragraph 110. However, I only want to find out how they propose to do it. You mean, you will find an unfavourable majority in the Central Legislature.—Yes.

9434. So that you would find it very difficult to get modification, I suppose, under an unfavourable Legislature.—We should like to get a modification now when the thing is on the anvil.

9435. Do you not realize that as soon as the White Paper is passed, and the new Central Legislature is established, it will be very difficult to get a modification?—We realize that.

9436. Have you realized that?—Of course.

9437. Do you not think that that is one of the reasons why you ought to approach the making of the Central Legislature with great caution?—I think caution is required at every step, but that does not mean that the scheme, as a whole, should be hung up.

9438. But it does mean that once the Central Legislature is passed in the present form, it will be very difficult to get a modification.—But there must be some method, some machinery by which future changes may be possible. We do not know what that will be in the final form.

9439. There is always the Imperial Parliament, of course.—Yes, but we should prefer, as good Indians and working in co-operation with our Hindu fellow subjects, that there should be some machinery in India by which even minority interests can be favourably considered by mutual understanding, by the growth of that feeling of national unity which is essential for the working of any representative institutions.

9440. I quite agree with you it is essential, but I should not have judged from some of the answers which have been made today and yesterday that that essential unity is in sight, quite.—But we are hoping for it; we are hoping to build it up.

9441. But, in the meantime, you would have to put up with whatever the arrangements were.—We shall have to take whatever comes.

9442. You do not realize the bearing of my questions upon the wisdom of fixing definitely now a Central Legislature.—No, the difficulty will be that that will stereotype matters.

9443. That is the difficulty—that is the one I am pointing out to you.—Yes.

9444. Have you weighted that, that it would stereotype matters?—Well, we want that to be modified, we do not want it stereotyped. I recognize that there is a body of feeling in this country which would stereotype it, but I think that that body of opinion is wrong.

9445. When you say a feeling in this country, do you mean in Great Britain or in India?—In this country especially.

9446. I do not think you can look upon anything as stereotyped in this country.—I am glad to hear that.

9447. I am thinking of India. I think it would be very unlikely that the British Government would modify the arrangements of the White Paper after they were passed against the wishes of the majority of the Central Legislature; therefore, you would have to convert the Central Legislature.—If our cause is just, we hope we shall be able to convert it.

9448. You are a very sanguine man then. I will not press you any more; I think you see my point. Now may I just refer to one or two of the major points of difficulty? I notice that under the heading of 'The Federation of India' in your Memorandum, you say: "We feel that there are great difficulties in

working out an All-India Federation in which the Indian States must necessarily influence British-Indian policy while British India will be precluded from interfering in the internal affairs of the States."—That is so.

9449. Have you any suggestion to make for getting rid of that difficulty?—We have made a suggestion in the very next sentence: "We therefore urge that as many subjects as possible should be transferred to the Provinces, and as few retained for the Federal Centre as possible."

9450. So that the method of security would be by eviscerating, as far as possible, all the jurisdiction of the Central authority.—I should not like to use the word 'eviscerating'. That arrangement occurs in many Federal Constitutions. The State is all-powerful. The Federation is for specific purposes, and if you leave all residuary powers in the Provinces, I think these difficulties are minimized as much as we can minimize them.

9451. I do not think it turns upon the residuary powers; it turns primarily upon the specific things, whether to the Federation or to the Provinces.—Yes.

9452. You would minimize as far as you possibly could all that was allotted to the Federation.—By not allotting it to the Federation.

9453. By avoiding allotting it to the Federation.—Yes.

9454. That is your remedy.—That is what we can think of at present.

9455. I notice in a later part of your Memorandum you say you would allot Income Tax entirely to the Provinces.—That is a matter of taxation and resources.

9456. You realize it bears very strongly upon the point which you and I are now discussing, because if the Federation are to have control of Income Tax then it would be possible for the representatives of the States to vote the Income Tax which has only to be paid by British India.—I did not understand the question.

9457. If the Income Tax is to be a Federal subject, which is what the White Paper proposes, then it would be possible for the representatives of the States to vote taxation which was only to be paid by British India and not by the States themselves—the very point which your paragraph deals with.—Yes, quite.

9458. So the question whether the Federation or the Provinces have control of the Income Tax bears directly on the point of the paragraph we are discussing.—It does.

*Sir Austen Chamberlain*: May I interpose a question for the sake of clearing up a matter about which I am not sure?

*Marquess* of *Salisbury*: Please do.

*Sir Austen Chamberlain*

9459. Does the passage in your Memorandum refer to the imposition of the Income Tax or to the application of the Income Tax?—The allotment of it.

9460. I read it as meaning that the tax collected in the Province should go to the advantage of the Province?—That is the main point, but it is a matter of convenience as regards the actual imposition. We have not considered that point specifically, but personally I think if the tax goes to the Province, it is reasonable that it should be collected by the Province and that all the machinery should be regulated by the Province.

*Lord Eustace Percy*

9461. And imposed by the Province too?—And imposed by the Province too.

*Dr. Shafa'at Ahmad Khan*

9462. You do not object to uniformity of rate.—Not at all. In fact, in some respects, uniformity is very desirable. It is a question of convenience.

*Lord Eustace Percy*

9463. How is it to be imposed by the Province if it is to be uniform throughout the country?—I recognize that difficulty; if it is to be imposed by the Province, some Provinces may not have it.

*Marquess of Salisbury*

9464. At any rate, you recognize that all those suggestions are entirely different from the proposal in the White Paper.—In those points.

9465. Just one other matter. Have you considered the question of direct election for the Central Legislature?—You mean for the Upper House of the Central Legislature?

9466. No. The Upper House is not to be directly elected. It is the Lower House, the Assembly, which is to be directly elected.—Yes.

9467. Have you considered that point?—Yes.

9468. Do you approve of direct election for the Assembly?—I think if we are going to work towards democracy, direct election is the only method by which the will of the people can be expressed. I am not judging here of the wisdom of working for democracy, but I take it as an accepted basis of the whole of the proposals.

9469. It is not accepted. I do not know what you mean by accepted; it is before the Joint Committee now.—Yes; but the very fact that the Joint Committee has been set up and that the White Paper has been placed before them implies a certain attitude towards democratic institutions, does it not?

9470. It certainly does not imply a preference for direct or indirect election.—No, but I say if that principle is accepted, direct election is the only way to work it.

9471. Is that the view of all your colleagues here?—I think so.—*Sir Mohammed Yakub*: Yes.

9472. Have you had any experience, any of you, of how direct election works?—*Mr. Abdullah Yusuf Ali*: We have had experience in India for many years now.

9473. Do you think it works well?—It depends on what you call well. It works as well as in most countries.

*Marquess of Salisbury*: That is a question of opinion.

*Sir Austen Chamberlain*: Could the witness answer your question positively instead of comparatively?

*Marquess of Salisbury*: Will you put the question?

*Sir Austen Chamberlain*

9474. Will you tell me whether you think it works well in India? Give me a positive answer and not an answer by comparison to how it works elsewhere.—A positive answer means a reference to all the philosophy of democracy and representative institutions, and I am not in a position to go into

that. I can only use it in a comparative sense. I see representative institutions, in various countries. Some people say they are working very badly. Some people say they are played out and, of course, all those arguments would apply to India as well; but if we assume that we are working for representative institutions in the sense in which they are ordinarily understood in the world at large, I do not see how we carry them out, except by direct elections.

*Mr. Zafrulla Khan*: We would wish to pursue this, if possible. Perhaps Sir Austen Chamberlain would help the Committee and Delegates and tell them what he means by "working well", and then we would appreciate whether it has worked well in India or not. I think it would help the witnesses if they knew exactly what was intended by the question.

*Sir Austen Chamberlain*

9475. I will put the question in another way. As it works, does it present a true reflection of public opinion and preserve a close touch between the representative and his electors?—To a certain extent, but again, I would draw a comparison with other countries. I do not think in any country it works absolutely satisfactorily, and in India the franchise is restricted and there are a number of other conditions which it is proposed now in the White Paper to remedy. The larger the electorate, naturally the more representative the Parliament or the Council will be.

9476. I am not asking about the size of the Legislature, but whether the representation really reflects the opinion of the electorate, whatever it is, and whether the member is in close touch with his constituents.—In an absolute way I cannot give a positive reply, but I think it does on the whole.

*Sir Akbar Hydari*

9477. One would like to know whether, in applying these two tests which Sir Austen Chamberlain has laid down, those tests could not be better supplied if, for instance, the election to the Central Legislature were by the representatives in the Provincial Legislature who would be elected on a very wide democratic franchise.—Yes. You see, the touch then will be between the members of the Central Legislature and their electors

of the Provincial Legislature. That would be two degrees removed, would it not?

9478. Yes.—And to that extent I think it is less likely to reflect directly the opinions of the masses of the people themselves.

9479. But considering the size of the electoral districts in British India and the absence of good communications, I want to know whether in the beginning (you said we are working towards democracy), as a first step, would you not be able to get a better expression of opinion of the electors in the Provinces if their elected representatives in the Legislatures sent representatives to the Federal Legislature.—I do not think we shall get a better expression, although I recognize the difficulties which you have pointed out.

9480. In connection with the electors and their representatives, will there be very much connection between the two so far as those who are elected to the Central Legislature are concerned?—If the representatives in the Central Legislature are elected direct, they will be forced in their own interests to go to their electors in their own constituencies and to get themselves into touch. It is no argument that because that has not been very conspicuously the case in the past, it will not be so in the future.

9481. Will it be possible in the beginning?—It may be difficult.

9482. We quite recognize that representative institutions ultimately require that; but in the present conditions of India, I want to know whether under a system of indirect election you will not get a better type of representative better expressing the public opinion.—Those are two different things: A better type of man is a very different thing from a man who better expresses the views of the electorate. I think probably you will get a more educated type, and so on; but the whole object is to bring the humblest cultivator into touch with the Central Government.

9483. He would be brought into touch first, and very intimately into touch with the Provincial Government, and his representative would be in touch with that.—That will be only indirect. That would be two degrees removed.

9484. You are referring to the words 'direct' and 'indirect',

but I am looking to the ultimate result.—The result will be that the man who represents only the Provincial Legislature will be out of touch, and cut off directly from the people in the county.

*Marquess of Lothian*

9485. Is not the point this, that the only contact which the individual elector has with the Member is on questions which are settled by the Provincial Legislature? He is never brought into touch with the Central Legislature at all by the system of indirect election.—If we are building up a Constitution, I think he should be brought into touch.

9486. Your objection to indirect election is that the elector is never brought into touch with the Central Legislature at all.—Exactly.

9487. Therefore you think direct election is the only way in which the nation as a whole can be brought to think about national affairs.—That is so.

*Marquess of Salisbury*

9488. You think under the proposals of the White Paper, the representative in the Legislature could be in touch with the electors in these vast constituencies which are provided.—As far as the conditions allow, I think so.

9489. I suggest to you that the conditions do not allow.—I think that is too sweeping. I think what will actually happen in practice is this: The constituencies, it is true, will be very vast; but, when the Constitution gets into working, it will be to the member's interest to get into touch with all the people who count, the people who matter, the people whose votes are of any importance, and gradually there would be an education of the constitutency just as has happended in any country outside India.

*Sir Akbar Hydari*

9490. Would not the people whose votes are of any importance, whom the man has to approach for election to the Provincial Councils, be the same people as he would have to approach for election to the Central Legislature?—Yes, but the issues will be different.

9491. I mean to say that the issues will be more personal than impersonal.—That is so, but that is, I think, rather a fault than an advantage.

9492. Yes, but we take a very imperfect world as it is to start with, and I want to ask you whether you will not really be getting all the questions which will be seized by the Legislature much better discussed and settled with reference to the interests of the people if their representatives in the Provincial Legislature send men to discuss this very highly technical and narrow range of questions which will be left for the Central Legislature.—That brings us to the *Ma-Bap* theory of Government. Do things for them. If you do them well, why bother the people?

9493. Yes, it is the *Ma-Bap* theory; but the *Ma-Baps* will be the men whom the people have sent to the Provincial Legislature.—Why should you make them *Ma-Baps*, and not give the direct vote to the electors themselves.

*Marquess of Salisbury:* This seems to be developing into a theoretical argument.

*Sir A. P. Patro*

9494. Will you tell me whether you have had any electoral experience in the last 12 years? Have you contested any seats for the Provincial Council or the Central Legislature?—I did not actually contest a seat, but I have been in touch all the time, and I was a candidate for a little while in the United Provinces.

9495. You were defeated.—No, I did not go to the poll.

9496. So you have had no experience of the working of the Legislatures, either Central or Provincial.—Not as a Member.

9497. I mean as a Member.—But I have been fairly in touch with political questions.

9498. I do not want all extra answers. Say Yes or No. Will you please tell me how long it is since you retired?—I retired in 1914.

9499. You retired from service in 1914.—Yes.

9500. Since then you have been spending all your time in England.—Not all my time.

9501. Most of your time.—I have been domiciled in England, but I have been in India fairly frequently. May I just

add one word. The opinions that I have expressed are not my personal opinions. They are the opinions of the Association.

*Sir A. P. Patro*: I have not asked that question.

*Mr. M. R. Jayakar*

9502. Having regard to the fact that election to the Central Legislature at present is by [the] direct method, do you not think that reversion to the indirect method would be regarded in India as a retrograde move.—I certainly think so.

9503. And it will cause dissatisfaction.—Certainly.

*Marquess* of *Salisbury*

9504. Dr. Khalifa seemed inclined to say something just now.—*Dr. Khalifa Shujauddin*: I was going to say, so far as the question of contact with the electorate is concerned, the remedy lies not in reverting to indirect election, but in making the electorate more manageable; and, as far as the White Paper goes, we find, the number of seats in the Legislature having been increased, there will be a greater contact between the Member and his constituency under the reforms than at present. So Mr. Abdullah Yusuf Ali's point is established that as time goes on we will work for greater contact.

9505. You mean by having a larger number of members.—And by gradually reducing the size of the constituencies. That, I take it, will come in the natural course of development.

*Mr. Y. Thombare*

9506. Therefore you are not in favour of a reduction of the size of the Central Legislatures.—Reduction from what?

9507. From the figure proposed in the White Paper.—No.

*Lord Rankeillour*

9508. Do I understand from what has just been said you are in favour of the new Indian Legislature having powers to change its own constitution?—*Mr. Abdullah Yusuf Ali*: I did not say that, but I believe that is the view generally held. It is not in the Memorandum; it has not been considered by the Association.

9509. But as long as communal differences prevail, you would always be in a minority in that Legislature, would you not?—That is so.

9510. If the system were working badly for you, it would be rather difficult to get a change effected in your favour, would it not?—If it was working badly.

9511. Then do you not think that you are more likely to get some change, supposing you had a real grievance, from the Imperial Parliament than from the Central Legislature?—I do not see that it makes very much difference, because when once the power was decentralized, and the seat of authority lay in India, even as a minority we could bring pressure to bear on our Hindu fellow subjects, which we could not on Parliament in London. We believe that even as a minority we can influence a great deal the course of events in India, and we hope that in the altered circumstances the communal differences will get less and less important.

9512. Do you think your influence would go so far as to induce the Legislature to change the constitution altogether?—I am not prepared to say that in so many words, but I think the ultimate result, if we are working for Dominion Status, will be that and must be that.

9513. Would you allow the whole of the Constitution Act to be subject to change by the Legislature?—Again, this is my own personal view. I would say, yes, except as regards the Imperial connection, and one or two fundamental matters like that. I think that as long as these communal difficulties arise, the communal safeguards must remain; but I certainly envisage the time in the future when we shall be working just as the Dominion of Canada is working. We think the whole future is in its own hands.

9514. Would you allow the Central Legislature to take unto itself powers that had already been given to the Provincial Legislatures?—No ; because we are all for residuary powers in the Provincial Legislatures.

9515. That would be fundamental and not subject to change.—I think that would be one of the fundamental matters.

9516. Therefore, there are some subjects which could not be changed in India, and some that could.—I think the majority

would be capable of change, but there would be certain fundamental reservations.

9517. You have not worked out what you think the fundamental reservations ought to be.—Not so far.

*Lord Irwin*

9518. Might I, with Lord Rankeillour's permission, interject one question, before he leaves that point? Supposing the ultimate statute contained anything in the way of constituent powers such as Mr. Yusuf Ali has been speaking of, would it be in his contemplation that such constituent powers, containing a power to alter the Constitution of the Provincial Councils, should repose with the Federation or with the Provincial Councils?—I think they should rest with the Provincial Councils, as far as the Provinces are concerned.

*Lord Rankeillour*

9519. Under Paragraph XIII, you speak of fundamental rights, and you quote the introduction to the White Paper and the Government seeing serious objections. Have you prepared any draft of what you would like to be put in as to fundamental rights?—We have said that, I think, here in that paragraph: "The protection of Muslim religion and culture, education, languages"—I use the plural, for this reason: we have our Urdu as our vernacular, and our two classical languages, Persian and Arabic—"and law".

9520. But you have not actually drafted any clause which would show that.—No, we have not.

*Sir Hari Singh Gour*

9521. By law, you mean personal law.—Yes.

*Lord Rankeillour*

9522. Under Paragraph VII, you say in Sub-head (e): "There should be at least one Muslim Minister in every Province in which the Muslims are in a minority". I suppose you would make that reciprocal, would you not?—Yes.

9523. I mean, you would allow a Hindu Minister in Sind,

for example.—Yes. Everything that we say is reciprocal; what we have asked for ourselves, we are freely prepared to grant in the contrary case to the other communities.

9524. And there would be a Sikh Minister in the Punjab.—Yes.

9525. It was suggested to us yesterday that it would be a good thing if the Provincial Minister responsible for Law and Order should be helped by a Committee representing all the principal communities—an Advisory Committee. Has that suggestion been made to you?—It has not been considered by us collectively.

9526. Have you any opinion upon it?—My own personal opinion is that there is no objection to it, to have an Advisory Committee to advise the Minister who is in charge of Law and Order. But this should apply to all the Provinces or none at all. *Dr. Khalifa Shujauddin*: I am afraid I will have to go against Mr. Yusuf Ali on that point. Coming from the Punjab, and knowing the views of the Punjab Muslims very clearly upon this point, I think I am in a position to say that we are very definitely opposed to any Advisory Committee. If I may say so, only about three days ago, I came across a Report of a certain speech made by Sir Herbert Emerson, the Governor of the Punjab, which has been reported in *The Times* of July 28th, and I find one sentence there which, I think, supports my proposition that Law and Order should be transferred quite as fully to the Minister as in the other Province. His Excellency said: "The people and the Council have thus given the answer to those who doubted the wisdom of the present proposals for the transfer of Law and Order to responsible Ministers." It was a speech that he made in opening the special Session of the Legislative Council at Simla on the 27th July, and in the course of this speech, he complimented the Council on the work they had done, and also approved of the principles laid down in the White Paper *qua* the transfer of Law and Order; and our Conference as well as the League are unanimously of opinion that no distinction whatsoever should be made in the matter of the transfer of Law and Order to responsible Ministers of the Crown.—*Mr. Suharwardy*: I, too, am of that opinion, my Lord Chairman.—*Mr. Yusuf Ali*: May I add that I contemplate, in my personal

view, that any arrangements for one Province should apply to all? I am strongly against applying certain checks or palliatives, or modifying arrangements in one Province that do not exist in all.

*Dr. Shafa'at Ahmad Khan*

9527. The Muslim Conference is and has been strongly of opinion that Law and Order should be transferred in all Provinces.—Absolutely yes.

*Sir Hari Singh Gour*

9528. Can you visualize the possibility of a divided responsibility under the proposal of having an Advisory Committee in the Punjab? Would it not derogate from the responsibility of the Legislature?—I think that, to a certain extent, it will.

*Lord Rankeillour*

9529. In Section V, you say that the powers for the prevention of discrimination should not be used in such a way as to prejudice the growth of Indian commerce and industry. What kind of thing have you in mind when you want that precaution taken?—It is conceivable that the pressure of foreign companies, having business in India, on the Governor may be so great that he may do things which are prejudicial to Indian commerce or industry. We want to avoid that; we want the Governor to feel that he can only exercise his powers, subject to the proviso that Indian commerce and industry come first in India. May I give an instance? The Ottawa Agreements. We have here a sort of general co-operation of the Empire as a whole, but the principle is recognized that it should be on the understanding that each commonwealth within the British Dominions should come first in its own arrangements.

*Sir Hubert Carr*

9530. When you say foreign companies, do you refer to British companies domiciled in the United Kingdom?—I mean, in a geographical sense, non-Indian.

*Lord Rankeillour*

9531. Then would you look at the latter part of Proposal 122 in the White Paper, page 70?—Yes; it is the last sub-paragraph

of paragraph 122: "A Federal or Provincial law, however, which might otherwise be void on the ground of its discriminatory character, will be valid if previously declared by the Governor-General or a Governor, as the case may be, in his discretion, to be necessary in the interests of the peace and tranquillity of India or any part thereof."

9532. That does not go far enough for you.—I do not think it goes far enough, for this reason, that you leave that absolutely to the discretion of the Governor. I want it to be put to him definitely: Supposing our Indian Chamber of Commerce goes up to him and says, "We want to convince you this will injure our trade", then he should feel that he has no discretion; if he is convinced that it will, he must give in and he must not overrule any measures for the protection of Indian trade and interests. There is a slight difference in language.

9533. Would you give those powers to the United Chambers of Commerce, or some such body?—No, I would not give the powers to them; but I should have it in their power to approach a Governor and convince him that it should not be in his discretion, or, as our lawyers would say, if there is a discretion, he should exercise it judicially.

9534. It would only be a declaratory clause drawing his attention to it.—Yes.

9535. Now only one other subject. What is your main reason for wishing to give the Centre as few powers as possible, and the Provinces as many as possible?—I have stated that, but may I repeat it?

9536. Was it because you wished the Indian States not to have too much influence at the Centre?—That is one reason.

9537. Is there any other reason?—Another reason is that in the conditions of India, a vast country like India, somehow the Provinces will be better in touch with life than the Centre, and, therefore, they should have most of the actual work of the country in their hands.

9538. And anything that was not specifically given by the Constitution Act to the Centre would be with the Provinces.—Yes.

9539. Is that not really making the Provinces into States?—That is, I understand, the object of this legislation: Autonomous Provinces.

9540. What precedent have you for giving the Provinces powers like these which have previously been possessed at the Centre?—I have not thought of a precedent, but if you omit the qualifying clause, the United States have the States practically omnipotent.

*Mr. Zafrulla Khan*: May I suggest the precedent is the Montagu-Chelmsford scheme? The reforms which gave a good deal to the Provinces which was previously in the Centre.

*Lord Rankeillour*

9542. But it did not give them residuary powers. Devolution, yes; but not to give residuary powers, surely?—*Dr. Shujauddin*: This question did not arise before, because the question of Federation did not come in. This question of residuary powers comes in only because we are considering as to whether we will have a Federal Government in the Centre, or not. The moment you consider that problem, the question of residuary powers arises *ipso facto*. It did not arise before because the Government had been a unitary Government.—*Mr. Yusuf Ali*: There is also this, that devolution may be the devolution of all residuary powers, may it not?

*Lord Rankeillour*

9543. I should have thought not.—There are two methods of devolution. You can devolve a particular power. I do not see any illogicality in it.

9544. But residuary powers must reside somewhere.—Yes; you devolve them to the Provinces.

9545. And you have no precedent for that.—I cannot think of any.

*Mr. Zafrulla Khan*

9546. Have you a precedent for a kind of Federation where some units are like some of the Indian States and some like the British Provinces which cannot help being scheduled to the Federation, where some powers rest in the Units, and where others rest in the Provinces?—It is absolutely unprecedented, as far as I know.

*Lord Rankeillour*

9547. I have only one or two more questions to ask. You do not think that great inconvenience would arise from the great diversity of laws there would be in the different Provinces of India, if they had these large powers.—Not necessarily, because we have put in the Centre specific matters in which it is necessary to preserve uniformity.

9548. You have not drafted what, specifically, you would give to the Centre, have you?—No, I do not think we can draft these things.

9549. But this diversity of laws has created great inconvenience, for example, in the United States.—Quite so.

9550. Would you give power to contiguous Provinces to unite under the Constitution?—Our position is that the present arrangement should not be alterable, because it would disturb the balance of the communities. Unite two Provinces, and thus disturb our representation, and so on; so we should prefer that these arrangements should not be alterable—that they should be one of the fundamental safeguards.

9551. Reserved to this Parliament?—I suppose it would have to be reserved to somewhere.

*Dr. Shafa'at Ahmad Khan*

9552. You do not mean permanently unalterable.—No; there must be some machinery for altering it.

*Lord Rankeillour*

9553. But reserved to this Parliament.—I suppose so.

9554. Supposing that conditions made it appear that the Federation would be a long time coming into force, would you wish Provincial autonomy to be introduced at once?—Yes, if the other thing were long in coming. We have said so.

9555. And you would not mind if the introduction of the Federation were deferred for a long time.—If it were necessary.

9556. And, perhaps, indefinitely.—No.

*Mr. Zafrulla Khan*

9557. Did I understand from your last answer, Mr. Yusuf

Ali, that it would make you happy secretly, as it were, if things were deferred at the Centre?—No, not at all. On the contrary, our people would be very dissatisfied.—*Dr. Shujauddin*: And if I may add, we would expect the question of Federation to be postponed only for a reasonable period of time.

*Dr. Shafa'at Ahmad Khan*

9558. And the Muslim Conference supports this scheme.—Yes, this is the view of the Muslim Conference.

*Major Cadogan*

9559. Mr. Yusuf Ali, in Section IV of your Memorandum, there is a sentence which I would be much obliged if you would explain to me; it is at the bottom of the page: "There is no reason why the Governor-General should be given the extra-ordinary power of making Acts." Do you mean that the Governor-General should have no power of making Acts under any circumsances whatever?—Not Acts, if the Legislature Council is functioning—if the Assembly is functioning.

9560. You were not contemplating a breakdown of the Constitution, when you wrote that sentence.—No.

9561. Then in Paragraph VII, Sub-section (g) you say: "A substantial measure of reform should be immediately introduced in Baluchistan". You are aware, I am sure, that the Simon Commission went to Baluchistan and collected as much evidence as they could on this subject. Do you remember the recommendations that the Simon Commission made to the effect that "It may be safely stated that the Baluchis have not themselves sought any alteration of the existing regime. The demand for representative institutions of a Western type certainly does not come from them."? You remember that recommendation?—Yes, I think a good deal of time has passed since then.

9562. I am going to ask you a question upon that. Do you agree that a great part of the inhabitants are nomadic?—A certain proportion, yes.

9563. How would you get nomadic tribes belonging to an electoral roll?—I do not think that applies to the major part of the major population.

9564. A great part, you will agree, will you not?—A certain proportion; I have not gone into the figures.

9565. Will you also agree that the majority of the Baluchis wish to go on living their customary lives?—Yes.

9566. Do you not agree with me that the will of the majority of the Baluchis should prevail?—Yes, but that is not inconsistent with reforms, because I think a great many of them would like to have representation. As regards the nomadic population, may I point to the precedent of Iraq? You have a large proportion of nomads there, but they have made efficient arrangements for their representation.

9567. You think that that would be practical in Baluchistan.—Either that; or you may have to leave them out, as a sort of scheduled area, as you do in other parts of Backward India; but I do not think that is any reason why we should stop some sort of representation of the people who are ready for it.

9568. A considerable part of the territory is not British territory of course.—That is so.

9569. But the administration is the same in the part which is British territory, and in that which is not—the same kind of customary laws.—More or less; customary laws.

*Sir Reginald Craddock*

9570. Mr. Yusuf Ali, the Committee which acted with the Simon Commission from Bengal was elected by the Bengal Legislative Council, I believe, was it not?—*Mr. Suharawardy*: It was not elected; it was appointed by the Governor.

9571. That Committee made the suggestion, or some of them did, that there should be a Board sitting with the Minister who was given the charge of Law and Order. Do you recollect that?—I am not aware of it. It might be so.

9572. It was so as a matter of fact. I think you can take that from me.—Yes.

9573. Is there anything which has occurred since those days which would make Musalmans revise their position about Law and Order?—About that time, the question whether Law and Order would be transferred was not very certain; and since then, when there is a question that there is a possibility of the

transference of Law and Order, we are of opinion that Law and Order should be transferred in all the Provinces without any hindrances whatsoever.

9574. You formed that opinion, but you did not always have it, did you?—We have advanced a little bit from the days of the Simon Commission, if I may say so.

9575. Yes, advanced in those ideas.—Yes.

9576. But I do not suppose you have changed materially.—The persons who were on the Committee and Provincial Committee were not the representatives of the Legislature or of the people as such.

9577. Bengal Council are not elected by the people.—Yes, the Bengal Council was, but the persons who were appointed were not elected by the Bengal Council. We have various elements in the Bengal Council.

9578. I would like Mr. Yusuf Ali to reply regarding the All-India Services. Does he want them abolished?—*Mr. Abdullah Yusuf Ali*: I have given a good deal of thought to that, and it seems to me that the All-India Services as they exist at present would be quite inconsistent with the reforms. We should have to reconstruct them, and I supose if Provinces got complete Provincial autonomy, All-India Services would be a misnomer. They would only have to be All-India Services for working the Federation.

*Lt.-Colonel Sir H. Gidney*

9579. Does Mr. Yusuf Ali mean that there should be no Federal All-India subjects?—Yes, there would be Federal subjects, and for those Federal subjects there would be a Federal Service, but I think that it is a mistake and it will cause endless trouble if you have the All-India Services as we knew them in the past. The whole atmosphere is changed. It is not fair to the All-India Services and it is not fair to the Provinces.

*Sir Reginald Craddock*

9580. Would you then in future eliminate the British element from the Services?—Not immediately, no; but it is one of the implications of Provincial autonomy that the appoint-

ments and regulations and promotions should be made by the Provinces as far as the service was rendered to the Provinces.

9581. You would not apply that to those already in the Service.—No. Every vested right should be strictly respected.

9582. Do you think that the Provinces would recruit any British officers if they were provincialized?—I think so; for some time to come, anyhow. There will be—there must be—proper public service commissions, perfectly impartial, like judges; and they will judge everything on its merits.

9583. I suppose it is the case that, since the Lee Commission Report, in provincialized services like education, agriculture and so forth, the recruitment of British officers has gradually ceased, has it not?—I do not know about that; I think there are a large number of British officers even under the Lee scheme.

9584. The old ones of the All-India Services?—Under recruitment. I know several educational officers who were recruited from England.

9585. On special short contracts?—On special contract.

9586. There may be a few on special contracts, but those services are no longer recruited from Englishmen in the majority of Provinces, I understand.—I believe even now several Englishmen have been recruited to the educational services, and in any case, I should not wish there to be a race bar or a colour bar in any way.

9587. I know in some Provinces, at all events, there has not been a single British officer recruited since 1925, the date of the Lee Commission.—Is it Bengal?

9588. I do not know about Bengal. I do not think there are many in Bengal. There are certainly none in the Central Provinces.—I should like to have instances of cases where competent people have applied and have been rejected.

9589. They do not apply unless an application is made to the High Commissioner here by the Province.—Yes; but if the Englishmen do not apply, I do not see how they can be appointed.

9590. The High Commissioner merely acts as an agent, I believe, in these cases.—I believe so.

9591. For a Provincial Government, who asks for somebody, and then the High Commissioner advertises. Otherwise it

is no good people applying in the air.—I have not seen any advertisements for services in India shutting out Englishmen in the way that I have seen advertisements about the India Medical Service shutting out Indians.

*Lt-Colonel Sir H. Gidney*

9592. Does the India Medical Service shut out Indians?—The advertisements that appear in *The Times* say that, which I think is very wrong in principle.

9593. What advertisements were those?—Indian Medical Service.

9594. When?—You can see them any day in *The Times.* I have seen them recently.

9595. No advertisement ever appears in the newspaper except on a Government communique. No advertisement can appear except by the Government of India or the Secretary of State.—It is the Secretary of State.

9596. Could you quote one such advertisement?—I have not brought one with me, but I saw one only the other day.

9597. As a member of that Service, I have never seen such a thing, and I would be very grateful to see it because I am just as keen as you are.—You agree that the principle is wrong.

*Lieut.-Colonel Sir H. Gidney*: Certainly.

*Mr. M. R. Jayakar*: Lieut.-Colonel Sir H. Gidney is a retired member of the Indian Medical Service.

*Lieut.-Colonel Sir H. Gidney*: That does not imply that my interest in the Indian Medical Service has ceased.

*Sir Reginald Craddock*

9598. I will pass on. If any of the delegates or the witnesses would like to answer, will they tell me whether there is a scheme for Federation of Provinces under the name of Pakistan?—As far as I know, it is only a students' scheme; no responsible people have put it forward.

*Sir Reginald Craddock*: They have not so far, but, as you say, you advance very quickly in India, and it may be, when those students grow up, it will be put forward; that scheme must be in the minds of the people, anyhow.

*Mr. Zafrulla Khan*: What is the question?

*Sir Reginald Craddock*: I wanted to know whether the witnesses had acquaintance with a scheme which was drawn up for what is called Pakistan.

*Mr. Zafrulla Khan*: We have already had the reply that it was a students' scheme and there is nothing in it. What is the further question?

*Mr. Isaac Foot*

9599. What is Pakistan?—So far as we have considered it, we have considered it chimerical and impracticable. It means the Federation of certain Provinces.

*Sir Reginald Craddock*

9600. I have received communications about the proposal of forming a Federation of certain Muslim States under the name of Pakistan.—*Dr. Khalifa Shujauddin*: Perhaps it will be enough to say that no such scheme has been considered by any representative gentlemen or association so far.

9601. I want to ask a question with reference to the attitude of Muhammedans towards what have hitherto been known as the Depressed Classes; that is to say, does the Musalman population generally, the uneducated Musalman population, treat the Depressed Classes any differently from the way in which they are treated by the Hindus?—*Mr. Abdullah Yusuf Ali*: They have no Depressed Classes amongst themselves, and as regards the Depressed Classes amongst the Hindus, to the Musalmans they are the same as any other Hindus.

*Sir Reginald Craddock*: For example, over the use of wells in a village mainly consisting of Musalmans, would these Depressed Classes have the use of the wells?

*Mr. Zafrulla Khan*: I think we should like the point of the question explained so that we might follow what the questioner is aiming at.

*Sir Reginald Craddock*. That will appear.

*Archbishop of Canterbury*

9602. Sir Reginald Craddock must ask his question in his

own way.—Your question is, in a Musalman village would a member of the Depressed Classes be shut out from using a well as he would be in a Brahmin village.

*Sir Reginald Craddock*

9603. Yes.—I do not think so.

9604. You think there are no disabilities put on the Depressed Classes by Muslims anywhere.—I think that where there is a large Hindu population surrounding it, probably the Muslims would be psychologically affected, but I do not think there is any reason to suppose that the Muslims would treat the Depressed Classes as any different from any other.

9605. You agree, however, to the proposal to give the Depressed Classes in the Punjab a special representation.—I think so, yes.

9606. You agree.—Yes.

9607. And the same in Bengal.—Yes, as long as the necessity remains, of course.

*Mr. Zafrulla Khan*

9608. May I be permitted to make a statement in one sentence on the Depressed Classes question? I think the position is this, so far as the Punjab is concerned (I am not familiar with other provinces): the mere fact of a person belonging to any particular caste or tribe does not affect a Muslim one way or the other with regard to the treatment of such a person; but if a person (it does not matter what his caste or tribe is) is engaged in a certain profession (and I have in mind the profession of a scavenger) which makes him physically incapable of association on equal terms, no doubt there is that hesitation and keeping off from him; but if members of the same tribe were not actually following that profession, we do not think of any untouchability with them. That is the position so far as the Punjab is concerned.—*Mr. H. S. Suharwardy*: That is right. *Mr. Abdullah Yusuf Ali*: I think that obtains as far as every Province is concerned as regards the Mussalman.

*Miss Pickford*

9609. Under Heading III C. of your Memorandum,

"Franchise for the Legislature", you say: "Women should not be given the vote in the right of their husbands". Have you given careful consideration to this point?—Yes, the Associations have actually gone into it.

9610. You are therefore aware that the White Paper does not make any proposal to enfranchise the wives of voters for the Federal Assembly.—The Franchise Committee report does.

9611. Not for the Federal Assembly.—What bearing has that on the present position?

9612. I suggest that you have not given very careful consideration to it, if you suggest that a differential qualification which is not suggested, should not be given.—That is only an argument, is it not, Madame?

9613. If we proceed to the other point, the White Paper does propose a vote to the wife of a voter for the Provincial Council.—Yes.

9614. And it is to that that you object.—Yes.

9615. On the grounds that you prefer an equal franchise. —Yes.

9616. In fact, you are in favour of equality.—Yes.

*Miss Pickford*: Do you have women members of the All India Women's Conference?

*Begum Shah Nawaz*

9617. No.—There is nothing to prevent them coming.—*Sir Mohammed Yakub*: We have one lady on the Council of the All India Muslim League, and that distinguished lady is sitting in this body.

*Sir N. N. Sircar*

9618. That is equal representation; one woman in 200!—There is no bar. Others have not applied, and if they do, we have no objection.

*Miss Pickford*

9619. You have no objection.—Not the least.—*Mr. Abdullah Yusuf Ali*: None whatever.

9620. Is there an All India Muslim Women's Conference?—

There is an All India Women's Conference, but that is different from ours.—*Sir Mohammed Yakub*: So far as I know, some meetings of a conference were held which were known by the name of the All India Muslim Women's conference. They were mostly social Conferences relating to the education of Muslim women and things like that; and, so far as I know, politics were mostly outside the purview of those Muslim conferences.

*Begum Shah Nawaz*

9621. We have had a Women's Conference since 1914.—I admit there has been a Conference known as the All India Muslim Ladies Conference. They were advocating Muslim education and other social reforms among the Muslim women in the country.

*Miss Pickford*

9622. As that is organized on an All India basis, would it not have been as well to have consulted those ladies about the question of franchise and representation?—They are perfectly free, not only to give their opinions, but to come and sit on our body.

9623. Are you aware that if you have for women a property qualification on the same terms as men for Provincial Councils, it will produce an electorate of rather under 2,000,000?—2,000,000 women?

9624. 2,000,000 women.—I have not gone into the figures. – *Sir Mohammed Yakub*: I may add that among the Musalmans, the women inherit property from their fathers or mothers and their husbands, and among the Musalmans I think that the women owning property in their own name are not very much less than the men. In fact, the inclination is, so far as the United Provinces is concerned, I think, that husbands are transferring property more to their wives, in order to save it from the bankers' clutches.

*Sir Abdur Rahim*: There is one exception, is not there: the Punjab?

*Miss Pickford*

9625. Arising out of Sir Mohammed Yakub's reply, is it a

fact that the Muslim law is not followed in all the Provinces?—*Sir Mohammed Yakub*: Under the Royal Declaration it ought to be followed in all the Provinces, and it is unjust that in certain Provinces Musalmans have been debarred from following their Muslim law, for instance, in the Punjab; but, in these Provinces, there has been an agitation among the Musalmans for a long time that Muslim law should be applied equally in the Punjab also as regards women. Musalmans in all the Provinces consider it very objectionable that Muslim law should not be applied to the women in any Province. It is clearly contrary to the direction given in the Holy Quran.

*Begum Shah Nawaz*: Is there any likelihood of this law being changed in the Punjab until and unless the women have a good voting strength in the Punjab?—*Sir Mohammed Yakub*: My Lord Chairman, it is not the Muslim men who have been trying to perpetuate this law in the Punjab; in fact the Muslim men in the Punjab have always endeavoured to make the Muslim law apply to the Muslim women also. It was the Government or the other people in the Councils who would not agree to it, and, therefore, the preponderance of Muslim men in the Councils in any way cannot be any hindrance in the way of the Muslim women getting their rights. On the other hand, we consider that contrary to the Holy Quran. We consider that no more injustice could have been done to the Muslims than to apply these laws to the Muslim women in the Provinces, and it is quite contrary to the Declaration of Queen Victoria, where it was said that personal law would be applied to Musalmans and Hindus.—*Dr. Shujauddin*: As a matter of fact, during the last Session of the Assembly, one private Muslim member did introduce a Bill to the effect that all these customs shall be abrogated for the future, and that in matters of inheritance, and so on, only Muslim law should prevail. Unfortunately, this Bill could not be considered by the last Assembly, and it was not passed. I mention that only to show that even now, as things go, there is a very genuine desire among the general body of Musalmans to see that personal law is brought back to the position which it ought to hold.

*Mr. Zafrulla Khan*: One Member of the Punjab Legislative Council simply tabled a resolution to that effect and it could not be discussed, because it was not reached. The Punjab Council itself has not the power to make that change.

*Miss Pickford*

9626. You admit then that at present there is an inequality.—*Mr. Yusuf Ali*: As enforced by the British Courts.

9627. Taking the facts as they are, do you accept the official figures given in the Franchise Committee's Report that the women who will be qualified, on a property qualification, to vote for the Provincial Assemblies will be under 2,000,000 as against 30,000,000 men?—*Sir Mohammed Yakub*: We cannot accept the correctness of the official figures always.

9628. You do accept them.—No, not always.

9629. But you cannot bring any figures to refute them.—Our experience is that during the last census, the figures of the Muslim population in certain Provinces were tampered with to a very great extent.

*Sir N. N. Sircar*: In favour of the Muslims.—*Mr. Suharwardy*: No, in Bengal in favour of the Hindus.—*Dr. Khalifa Shujauddin*: No.

*Miss Pickford*

9630. Given that those figures are correct, the ratio of women to men voters will be 1 woman to 15 men. Do you think that that is likely to give them an effective influence upon candidates and Legislatures?—As much as they had in England.

*Miss Pickford*: Perhaps I may pursue that point. Until women had an effective voting strength in England, there was very little legislation to which women attached importance passed in the Houses of Parliament; and, since they have had an effective voting strength, there has been considerably more.

*Mr. Zafrulla Khan*

9631. Is that the view of the whole Committee?—*Sir Mohammed Yakub*: My Lord Chairman, in India the interests of a man and woman are very much more identical than they are in England.

*Miss Pickford*

9632. The point that I want to make is this, that you attach great importance to the Muslim community, being a

minority community, having weightage in the Assembly and in the Provincial Councils and in the Services because of the disabilities from which they suffer as a minority community. Do you not, therefore, on the basis of equality, think that it is only fair that women should have some differential qualifications?—The women do not belong to a separate community; they belong to the community to which their men belong, and there can be no difference of interests or no conflict of interests between men and women. Therefore, the analogy which you want to apply does not apply to the case of men and women. Women have never suffered on account of men in the matter of legislation anywhere in India.

*Begum Shah Nawaz*

9633. What about the legislation against polygamy?—My Lord Chairman, I would not enter into the realm of religion. I think that our distinguished lady member, the Begum Shah Nawaz, would find herself isolated in India, if she tried to take a step in the realm of religion.

*Miss Pickford*

9634. In Sir Mohammed Yakub's statement, which he read to the Committee, he said it would not be fair to give a wife a vote in respect of husband, and then deprive her of it when she became a widow. Is he aware, as a Member of the Franchise Committee, that that was not the proposal of the Franchise Committee, nor has it been adopted in the White Paper proposals?—Quite so, and, therefore, I say there is no logic in it. I want to point out the logic of the proposal which has been made.

9635. In answer to Begum Shah Nawaz, Sir Mohammed Yakub said that his views were held by the vast majority of the Muslim community. Is he aware that the note of dissent which he gave to the Franchise Committee's Report was not supported by his two Muslim colleagues?—My Lord Chairman, it was not objected to by them; only they did not care to put in a separate note, as I did. It does not mean that they differed from my views.

9636. Would it be fair to say that, perhaps, these views are not held by all the members of the Muslim community?—

I think, my Lord Chairman, that these views are shared by most of the leaders of the Muslim community.

9637. Are the leaders, mostly, the older men of the community?—Older, as well as younger.

*Mr. Davidson*

9638. I have only one question to ask, my Lord Chairman. When Mr. Yusuf Ali was replying to Lord Salisbury, I was not quite clear what his view was on one particular point, and it is this: It is admitted that if direct election is adopted for the Federal Assembly, the constituencies will be very large. Would I be correct in interpreting Mr. Yusuf Ali's answer as expressing the view that whether a constituency be large or small, or whether the electorate be large or small, the contact which a member has with his constituency and his electorate is good or bad according (a) to the effort made on the part of the Member to keep in touch with his electorate, and (b) upon the efficiency of his political organization?—*Mr. Yusuf Ali*: That is perfectly true, subject to this qualification, that in the smaller constituency it would naturally be easier

9639. But that no provision in any constitution can enable a candidate or a member to keep in touch with his constituency. That is a matter for himself.—Exactly.

*Lord Eustace Percy*

9640. May I ask one or two questions just to try to elicit how you envisage Provincial Autonomy working? I gather from your reference to Income Tax that you wish, in any case, the whole of the Income Tax to be handed back to those Provinces where the taxpayer resides.—Yes, or where the income accrues.

9641. Then you would not wish India, as a whole, to concern itself with differences of administrative standards in different Provinces due to differences of wealth.—No, I would not say that. I think it is very important that India should be a united country, and I should certainly view it with misgiving if India became broken up into a heptarchy or decarchy, or anything of that kind. I should like some uniformity.

9642. How would you get that uniformity?—We could get

that uniformity, I think, by the power of control which the Federal Government will necessarily exercise.

9643. What power of control will the Federal Government exercise under your scheme?—Under my scheme, it would be as it is in the White Paper. The Governor-General-in-Council will have powers of control. His Government—the Federal Government—would have powers of control, and so on.

9644. I do not understand. Your paper, which you have placed before us, proposes that all the Services shall be recruited in the Provinces, that the Provinces should have complete control over the Services, and that the Federation would be left with no direct taxation which it could grant to the Provinces; and your whole scheme, I gather, is directed to wiping out, so far as possible, any control which the Federal Government can exercise over the Provinces.—No, not at all. I should view it as a calamity, if the Federal Government abdicated, to use a familiar phrase. I am giving my own personal views. The way I look at it is this. There are such large questions as Sea Customs and Defence, and Railways, and Foreign Relations, and so on. They must, necessarily, in any Federation be the concern of the Federation; but, being the concern of the Federation, they yet touch most intimately every individual citizen in the whole of India.

9645. I was not denying that there were certain Federal subjects which would touch the individual, but your statement is that as many subjects as possible should be transferred to the Provinces, and as few retained in the Federal Centre as possible.—That is right.

9646. Then let us take the question, purely as an example, of education. You will admit that Bihar and Orissa will have very much less money to spend on education than the Punjab, under your scheme.—Well, I do not know.

*Mr. Zafrulla Khan*: Before the witness replies, would Lord Eustace Percy, perhaps, inform the Committee whether education at present is, or is not, a Provincial subject?

*Lord Eustace Percy*

9647. I am not dealing only with the changes in the present position. I do not necessarily think that the present position

is Utopia.—May I just give an example? I have often wondered how the United States are held together as one nation. There the State is practically everything, and the Federation does control legally almost nothing; but I see, from personal experience, that the force which keeps them together is the common country; there are no Customs barriers there; free intercourse between all the people, from one end to the other, even though their laws are so diverse; and I contemplate an India where, geographically, there will be absolutely no barriers, or fewer barriers than now. Our Indian States will be part of the Federation, and, further, you could travel freely from one place to another and learn about one part in another.

9648. But do you realize that in Finance, for instance, Income Tax, and in Criminal and Civil Law, you propose to leave much less power to the Indian Federation than the United States' Government has?—But I should like to see more agencies for uniformity, of course.

9649. But only agencies for discussion, with no Constitutional power.—There would be agencies for discussion, because every Province would send representatives to the Centre.

9650. I know; but I say, you want merely agencies for discussion, with no constitutional power.—Yes: I want constitutional powers in the Governor-General, and in his Government.

9651. But not in your agencies of inter-Provincial co-operation.—I should like agencies of inter-Provincial co-operation also.

9652. But with no constitutional powers.—With constitutional powers.

9653. What constitutional powers?—Where all the Provinces, for instance, have an inter-Provincial or inter-State Board, that Board might administer certain things, in the Railways, for instance, which will be a Central subject.

9654. But the Railways are a Federal subject.—Yes.

9655. We will leave that point. I will just put one further question on Finance. Do you contemplate that Sind and the North-West Frontier Province will be the only Provinces which are to have subventions from the Central Government?—I hope even those Provinces will be able to stand on their own legs.

9656. Does anyone share that opinion?—I think the Sindhis share that opinion.—*Sir Mohammed Yakub*: If there is full Provincial Autonomy, and the Provinces are allowed to run their governments cheap, according to the resources of the Province, I think it will be soon that the North-West Fronteir Province and Sind will both stand on their legs, as far as finances are concerned.

*Mr. Zafrulla Khan*

9657. Does not the North-West Frontier Province stand on an entirely different footing from Sind?—*Mr. Yusuf Ali*: The Frontier Province has other interestes; those are external interests, and that is an all-India interest, of course; but as regards Sind, I believe that the Barrage is a very great asset, although at present it has not been fully realized. It must eventually give Sind a very large source of income.

*Sir Phiroze Sethna*

9658. What about Orissa?—I have not gone into the finance of Orissa, but I am very much hoping Orissa will be able to stand in the same way.

*Sir Akbar Hydari*

9659. I have only one question to ask, and that is: can you tell me, with your experience, as to what would be the manageable size of a constituency in India which would really allow contact between the member and the electorate?—This is rather a theoretical question, is it not? It would depend very much on the conditions. For instance, if you have a constituency where the communications are bad, even a small district would be difficult to run. On the other hand in the United Provinces, with good railway communications and a dense population, as near Aligarh, a very large constituency can be run by one person. It would all depend upon the circumstances. I do not think you can fix a standard for a constituency.

9660. Would you consider a minimum limit to be about 2,000 square miles?—Yes. It would depend upon the population and communications.

*Sir Austen Chamberlain*: Do you mean, minimum or maximum?

*Sir Akbar Hydari*

9661. In one sense, a maximum of 2,000 square miles.—Again that would depend upon the communications, and the population, and so on

9662. But supposing that the conditions were most favoured, barring purely urban districts, in a district itself, say in the United Provinces, with which you are familiar as a District Officer?—Yes. I know some districts like Gorakhpur, which are huge and difficult to get about in. Other districts like Fatehpur, where the communications are excellent, the size is small and the villages are numerous. In a district like Gonda, large landed estates, well managed, are an asset on one side, and forest areas an obstruction. I should not like to give an exact figure of a standard size.

9663. I do not want you to give me an exact figure, but some general idea in the neighbourhood of what mileage you would consider to be the maximum.—I think mileage would be very fallacious. You would have to take three factors, the area, the population, and the communications; and to evolve a formula including these three factors is rather difficult.

9664. Yes, it is difficult, I know, but it would be desirable to know, somehow. Give us two limits, something between so many thousand and so many thousand square miles.—I should prefer to leave it on its merits. If I were actually making constituencies, I should want to know how the population runs and what the communications are, and so on. For instance, with the introduction of the motor car, the distance is of far less importance than it used to be. If you take Hyderabad State, Adilabad would be quite a different constituency in that respect from Balda and the surrounding districts.

9665. What would be the mileage at Aligarh, to which you have referred, which you think would be manageable?—I think you could have two or three districts there and run them quite well.

9666. Of what size?—Say about 50 by 60 miles each.

9667. That would be 3,000 square miles.—Yes, you could run two or three like that where the conditions are favourable.

9668. That is the most favourable, about 3,000 square

miles.—Three times that, but I should not like to fix any limits.

9669. I am asking this because I want to know whether you said that the present system is direct election and it would be a retrograde step to go back.—Yes.

9670. You are aware that under the present system you have got a constituency for the Muhammedan member for the northern part of Madras which is 83,000 square miles.—I know; but on the other hand, remember that there will be only a few Musalmans, so your electoral roll will be very small and you could send your circulars by post, and could get about quite easily. That is why I am averse to fixing any geographical area as a limit.

9671. With regard to Muhammedans at least, owing to their special electorates, the size of the constituency will be very large.—It is very large.

9672. One member would have, for instance, to travel all over an area like Great Britain, or an area like England and Wales.—I consider that area very small for India.

9673. For one constituency, you would consider that small?—Yes.—*Sir Akbar Hydari*: Then I have nothing to say.

*Sir Manubhai N. Mehta*

9674. With regard to the question of direct and indirect election, you express legitimately a preference for direct election for the Federal Assembly. I believe you know that in the case of the Federal Council of State, the method suggested by the White Paper is indirect election.—Yes.

9675. Would you have the same indirect election for the Legislature also, or would you have a separate kind of election?—I do not understand your question. Do you mean instead of the indirect election, as suggested in the White Paper, would I have direct election?

9676. No, what I want was this. For the Federal Council of State, you know the scheme suggested by the White Paper is that of indirect election.—Yes.

9677. That is, election through the Provincial Assemblies.—Yes.

9678. Would you like to have the same sort of arrange-

ment for the Assembly or a different one?—I do not think my Association would like that at all.

*Mr. M. R. Jayakar*

9679. You would like to have direct election for both the Houses.—We have not considered it. We have accepted the other thing as a *pis aller*, but probably a direct election in both Houses would be better, as far as I am personally concerned.

*Sir Manubhai N. Mehta*

9680. One or two questions about the States. You say in your Memorandum, Paragraph II, under the heading of 'The Federation of India': "We feel that there are great difficulties in working out an All-India Federation in which the Indian States must necessarily influence British Indian policy while British India will be precluded from interfering in the internal affairs of the States", and as a remedial measure, you suggest that as few subjects should be left in the Federal lists as possible. Would you also be satisfied with an agreement from the States that a Convention may grow; that the representatives sent, nominated by the States, may not embark at all upon subjects concerning British India?—That would be acceptable, but I see great difficulties in working it.

9681. If there is a possibility of a Convention growing, would it be acceptable to you?—I think it would be acceptable. We have not considered that point.

9682. Then lower down you say: "When, as at present, it is intended to give considerable representation to the States, one-third of the seats of the British Indian Provinces, if reserved for Muslims, will give them about 22 per cent of the whole House", and, therefore, you ask for additional weightage in the whole House. Why do you assume that the representatives nominated in the States will not be Musalmans?—I do not say that they will not be Musalmans, but the States' population as a whole is overwhelmingly Hindu.

9683. It is not merely the population standard that the States have accepted; the States have reserved the right of nomination.—I know but take a State like Hyderabad, which is Muslim as regards the ruler, but where there is a large Hindu

population, I think it is inevitable that a certain number of Hindu representatives will come from Hyderabad.

9684. In the same way, in Kashmir you would expect a Mohammedan representation.—We should expect it, but whether we should get it is another matter. Kashmir is a very good example.

9685. So why do you assume that in Hyderabad?—Because if I had anything to do with it, I should probably do it. *Dr. Khalifa Shujauddin*: Because Hyderabad is more advanced than Kashmir.—*Mr. Abdullah Yusuf Ali*: Inevitably, my friend will bear me out, Hyderabad standards are a good deal higher.

9686. You have no reason to complain that up till now in any of these delegations sent to the Round Table Conference or to the Select Committee, the States have sent any disproportionately large number of Hindus.—Here, the States have each only sent one or two. It will be a very different matter when you have a large number sent from, as it were, the population itself. These representatives now are the representatives of the Government, and we assume that the Government sends the pick of the people in the State.

9687. You understand, I know, that in the case of the Council of State it will be the Government that will be represented; it is only in Assemblies that the people will be represented.—In the Council of State in British India...

9688. I am talking of the States.—It will be the Chambers. I do not know what it will be in the States. I think it will be representatives of the Governments; but for anything I know to the contrary, the States may have their own parliaments, and in that case, I suppose they will send representatives to the Council of State.

*Sir Akbar Hydari*

9689. I do not for one moment want to imply that the standard of any one State is higher than another, but probably what Mr. Abdullah Yusuf Ali had in view with regard to Hyderabad was that the Prime Minister is a Hindu; that a very important functionary like the Commissioner of Police is a Hindu. Out of four Commissioners of Divisions, two, if I remember aright, have been Hindus. And so I suppose what he means is that inevitably in a State like Hyderabad, some representatives that

it would send would be Hindus. That is all, and nothing more.—That is exactly my meaning, and I know it from personal knowledge.

*Sir Akbar Hydari*: I do not for a moment want to say that our standards are higher than those of Kashmir.

9690. The same thing applies to many of the States, for instance my own. It is a Hindu State.—*Mr. H. S. Suhrawardy*: It is an advanced State.

*Sir Manubhai N. Mehta*

9691. May I complete my question? In Aligarh, with which you are familiar, you said there are 3,000 square miles, and it would be able to have three districts. You are aware that the Lothian Committee reports that under its proposals, which were wider than those of the White Paper, excluding the Mohammedan and other special seats, the average constituency would be between 5,000 and 10,000 square miles.—*Mr. Abdullah Yusuf Ali*: Aligarh has an area of about 2,000 square miles, and I suggested that two or three districts of 3,000 square miles each should be worked together. I think the Lothian Committee went too much on their English experience. I think that here, where the whole country is so small, there is no comparison with India, where we are accustomed to big distances. We sometimes accept an invitation to dinner 20 miles away, which we would not do in England.

*Sir N. N. Sircar*: Yes, we do.

*Begum Shah Nawaz*

9692. Do I understand aright from some of the replies which you gave to some of the questions this morning that the Musalmans are opposed to the White Paper differential qualification for the franchise for women?—We are opposed to a differential qualification for women.

*Begum Shah Nawaz*: I wonder if you know about the Memorandum No. 2 that has been submitted to the Joint Parliamentary Committee on behalf of the three All-India Women's Organizations. In that Memorandum, the qualifications that they have asked for are these. May I be permitted to read them to the witness?

*Chairman*

9693. You asked the witness whether he knows about this

Memorandum. May I have an answer to that?—I know about the Memoranda, but I should like to have my memory refreshed.

*Begum Shah Nawaz*: In that Memorandum, women have accepted, on the same basis as men, property as one of the qualifications, and they have asked for literacy to be the educational qualification for both men and women; but instead of the White Paper qualification, that is that the wife of a voter should have the vote, they have proposed that men and women above a certain age should get the vote. Would you have any objection to accepting that?—My Associations would object. I will not say what my personal view is. In these matters, as everyone knows, in the question of women's suffrage, there has always been a great deal of difference of opinion. I am here speaking not in my personal capacity but as representing these Associations.

9694. Would you object to all these proposals for other reasons or for this reason only, that you feel that women should not become voters in large numbers?—I do not personally feel that.

9695. I mean your organizations.—I do not know whether I am entitled to say what reasons were at the back of their minds. Possibly, some people might have that as one of the reasons.

9696. I want to know from you the opinion of the organizations as such. Are they opposed to women becoming voters in large numbers?—I do not think so as far as I can judge, but they have not said anything of the kind.

9697. You say in Paragraph (c) 'Provincial Franchise': "The women should vote in the separate communal electorates of the communities to which they belong." Is not this the position, Mr. Yusuf Ali, that there is no communal feeling amongst the women in India at all, but the majority of the Muslim women realize that, in the absence of a settlement between the two communities, separate electorates having been maintained under the Communal Award, it would be difficult for Muslim women to have seats reserved for them through joint electorates?—It would be difficult for women to have seats reserved for them through joint electorates?

9698. Yes.—You mean that Muslim women will stand a very poor chance in joint electorates. Is that your question?

9699. No; it is more than that. All I mean is that although

there is no communal feeling amongst the women in India, the majority of the Muslim women feel that as seats have been reserved for them, the electorates should be the same as those proposed for the men?—I think that is a matter for the women to judge. As regards the statement that there is no communal feeling amongst Musalmans...

9700. Amongst the women of India as a whole.—Amongst the Muslim women as a whole, the Begum Shah Nawaz is a shining example in support of that, but there are other examples to the contrary.

9701. You said something about the Muslim women supporting your point of view. May I point out to you that there have been various meetings held in different Provinces—in the Punjab and also in other Provinces—in places like Lucknow and others, and many of these meetings have been held under the presidency of some of our leading Muslim women? I suppose some of you know of these meetings. Could you give me any instance where the Muslim women or Indian women who have attended these meetings have not strongly protested even against the numbers recommended by the Indian Franchise Committee, and have used such words as these that "Injustice has been done to the women's claims under the White Paper.." ?—I believe many of the women have said so, but the number of vocal women in India is rather small, and that is apt to give one a wrong impression.

9702. Is it not a fact that in Lahore itself five meetings were held, and one of these meetings was held in the Mohammedan Hall under the presidency of Lady Abdul Qadir?—*Dr. Khalifa Shujauddin*: A meeting was held, but I cannot say how far it was representative of the Muslim women of the Punjab.

9703. May I tell you that it was attended by almost all the wives of all the leading Muslims as well as many of the educated women in Lahore?—If that is so, I would not be inclined to say that it was representative of the whole of the Province.

9704. I did not say that the meeting held in Lahore was representative of the Province. There were many meetings held in the Province itself. You would agree with me that the women belonging to all the communities who have been holding meetings have been asking for a good proportion of the voting strength

of the country, and you can say nothing that would be contrary to this, that any meeting held by any women in any Province would show that they would be satisfied with 2,000,000 women voters.—Judging by the meetings that have been held, of course, it would be correct to say, as the Begum Shah Nawaz does say, that the vocal women do want representation, and we are not opposed to it.—*Mr. H. S. Suhrawardy*: May I give a little bit of my own personal experience with regard to voting. It could well be said that the women at the meetings which they have attended—I do not know to what extent they are representative of the women of India—have said that they would like to have greater voting strength, but my little experience with regard to elections has shown me that even the women who have the franchise do not exercise it in India. We have seen this, that particularly amongst women there is a very large number of false votes recorded and the women do not come to the polling booths to exercise their franchise. I really do not know what will happen if the franchise is extended, but I should think, from my past experience, that it will not be utilized.

*Chairman*

9705. What do you mean by "false votes"?—The actual voters do not come to the poll.

*Sir Phiroze Sethna*

9706. False personation?—Yes; they are impersonated.

*Sir N. N. Sircar*

9707. By other women?—Yes.

9708. Do you say that if women in large numbers were given votes they would not exercise their vote?—That is my belief, that our social customs are such that should you artificially confer upon them the franchise at this stage, it will not be exercised to a very large extent.

9709. Do you think that it is only due to the social custom and not otherwise, social disabilities only that prevent women going to the polling booths in large numbers?—Yes. The social customs are certainly responsible.

9710. Is it not a fact, Sir Mohammed Yakub, that the custom of the written dower is freely practised among the Muslim?—*Sir Mohammed Yakub*: In a very large number of cases the amount of dowry is written on the paper at the time when the marriage is contracted.—*Dr. Khalifa Shujauddin*: Not dowry—dower.

9711. *Mahar* is the word?—Sir *Mohammed Yakub*: Dower and dowry are different things. I may say it is a part of the marriage; it is a consideration for the contracted marriage. Amongst the Musalmans, marriage is considered as a civil contract, and no contract, as we know, is valid without consideration. A dower or *mahar*, as we call it, is a consideration for the contract.

9712. Could you tell us whether there has been any instance where a husband or father has objected to the name of the girl being written in the document at the time of the marriage?—*Sir Mohammed Yakub*: I do not think so, but that document is written in a very small circle containing only the names of the near relations. The whole bridal party attending the marriage is never shown that document, and the name is not announced to them. Even the dean who performs the marriage, when he mentions the name of the bride, mentions it very softly, sometimes only in the ear of the bridegroom, so that others may not listen to it.—*Mr. H. S. Suhrawardy*: That is not so in Bengal.

*Nawab Sir Liaqat Hayat Khan*: That is not so in the Punjab either.

*Begum Shah Nawaz*

9713. You said this morning that if I were to ask for legislation against polygamy I should be isolated. I quite agree with you that if I were to ask for social legislation, I would be isolated, because this has become part of religion; but I wonder if you know that since 1917, I have been proposing resolutions which have not only been unanimously carried, but women present have signed pledges not to give their daughters or sisters to men who already have wives?—*Sir Mohammed Yakub*: Those meetings were attended by very few Muslim women, and those who signed did so because it would be considered unfashionable to go against the views of the meeting, but in practice they have not done it;

and if I may be allowed to quote examples, in the very centre of Punjab—Lahore—I would point out that very leading educated Mohammedans and very leading educated women have married with persons who have two wives, but I need not mention them here.

9714. Is not polygamy a fast-dying institution in India at present?—It is, and it was never considered as an appropriate thing; in fact, among the respectable classes, polygamy has always been looked upon as one of the objectionable things which are permitted under restricted conditions and circumstances. —*Dr. Khalifa Shujauddin*: There seems to be some misapprehension in the mind of the questioner about polygamy. Polygamy is an institution. For polygamy to be permissible according to the laws of Islam is one thing, and for polygamy to be actually practised is another thing. I wish to inform the Committee that polygamy is only permissible. What is the actual proportion of people practising polygamy is a different matter altogether. Perhaps even the Begum Shah Nawaz will also agree with me that the number of people practising polygamy is very small. This does not, however, mean that any Muslim body of representative Musalmans or any association will tolerate the idea of any interference in the matter of legislation with the institution of polygamy; and Mr. Shurawardy was quite right when he said that if the Begum did undertake any such task, she would find hereself utterly isolated. The very fact that these resolutions have been passed since 1917, and that a period of 16 years has made no difference in the outlook of the Muslim community ought to go to prove that point.

*Sardar Buta Singh*

9715. Mr. Yusuf Ali, if I have rightly understood you, you mean to say that you personally and your Association are in favour of direct election.—*Mr. Abdullah Yusuf Ali*: That is so.

9716. You have also said that the adoption of indirect election would be regarded as a retrograde step.—Yes.

9717. I would draw your attention to Paragraph (e) of Part VII of your Memorandum, 'Provincial Franchise'. With regard to Universities you say there: "The electorate should consist of the

members of the Senate or the Court, as the case may be." I want to put a question to you in connection with that, and it is this: Do you know what is the present system of electorate with regard to these Universities?—It is different in different places. In some places—as in the Punjab, which my friend knows very well—the election is in the hands of the graduates. In some places, it is in the hands of the Senate; but our Association thinks that, on the whole, you get a better electorate by having a responsible body rather than by having a large number of graduates who have got out of all touch with the University, and who do not really understand the questions which a University electorate ought to understand.

9718. Election in the hands of the graduates would be more democratic.—It would be more democratic to have the graduates, but we are not having democracy pure and undiluted.

9719. As regards the Punjab, I think you would agree with me that the people would regard this step, if your proposals were accepted, as retrograde, and they would not accept it.—I think the Hindus would regard it as retrogarde, but the Muslims would welcome it, and the Muslims form the majority in the Punjab.

9720. I think the Muslims do not want to have anything contrary to their own ways, and they forget the democratic principles. Is that so?—That is a matter of argument.

9721. I should like to put a question to Dr. Khalifa Shujauddin: I think you and your Association require certain safeguards because you think yourselves to be a minority community.—*Dr. Khalifa Shujauddin*: Yes.

9722. You would agree with me that you want similar safeguards to be granted as regards seats int he Punjab.—Subject to the general principle laid down already that any grant of any safeguards to any minority does not interfere with the efficiency, or the efficient working of the majority.

9723. You say in your Memorandum: "As regards the new Province of Orissa, which was not dealt with by the Communal Decision, the weightage given to Muslims is inadequate and ineffective"; and if I remember it aright, the reason given there is because they were so small, and if a little larger weightage were given, it would be very good. Do not you think if you want a greater weightage in the Orissa Province, we will be perfectly

right in claiming similar treatment in the Punjab Province?—They have got it there, have they not?

9724. If you want more, we would be justified in wanting more.—It all depends. I do not know what claim the Sikhs have put forward in that behalf.

9725. It is no question of claiming.—If they have not, it would mean they are satisfied with what they have got.

9726. That was not the question. There is one more question I want to put to you: What is your experience in the Punjab as regards the contact of the Members of the Legislative Council with the voters? Do you agree with me that there is sufficient contact between the representative and the voters? I should like to be explicit. The Punjab is mainly an agricultural Province, and the questions are mainly with reference to excessively favourable treatment of other races, and the people are always trying to put their grievances to their Members.—The questions enumerated by Sardar Buta Singh, I know, are fairly important, but do not form the whole list of questions in which the Legislative Council is interested.

9727. There is sufficiency of contact—I want to put that question to you.—The sufficiency of the contact is, again, a matter of opinion, because personally I feel that making the constituencies smaller would make the contact more effective.

9728. That is what the White Paper scheme is certainly going to do.—Yes. So far as the demand or the claim for Sikh representation is being made, I may be permitted to point out that I believe, and in fact all my Muslim friends also believe, that there is no difference whatever between the Hindu and the Sikh—in his outlook, or in anything for the matter of that; they inter-dine, they inter-marry, their customs are the same, their habits are the same, their demands are the same, and it is only because now things have gone in such a way that it is felt that something more can be got out of the Englishman, on the one hand, and out of the Musalman, on the other, by making two separate claims, one on behalf of the Hindu and one on behalf of the Sikh, that the thing is put in that way.

9729. In the Punjab Legislative Council, the majority of the Sikhs have been voting with the Mohammedans. Their interests are common. As regards inter-marriages, I do not put much

value on that, but I rather put value upon economic questions. We have similar economic troubles in the Punjab, we being agriculturalists and the Mohammedans, too. They are really agricultural people there, and I think my friend may reconsider his position.—I am very glad to hear that remark being made, but so far as the identity of interest is concerned, of course it is not surprising that if the interest of the Sikh is identical with that of the Muslim, he would naturally vote with him. I quite appreciate the idea lying behind that statement.—*Mr. H. S. Suhrawardy*: May I add something to this? We believe that in the Punjab and in Bengal, in these two Provinces in particular, there is a far greater likelihood of the party system emerging, and the Government being run on party lines rather than on communal lines, than in any other Province.

*Marquess of Lothian*

9730. Would you explain why you think that?—It is on account of the very effective representation, as the case may be, which the minority, namely the Hindu and the Sikh members, have both in Punjab and Bengal, and it would be impossible for the Musalmans, who have a certain majority there, not a very effective majority, to be able to keep down the minority. The result of it will be that there can never be a communal ministry there, and we shall very soon (I think I shall be quite justified in my prognostication) have a political party system evolving in these two Provinces.

*Sir N. N. Sircar*: I do not want to interpose any questions, but I shall have to cross-examine him on these matters. I wholly deny this.

*Marquess of Lothian*

9731. When you say a party system, do you mean that will go to the constituencies, or the parties will be formed after the Members have been returned to the Legislature?—That is difficult to say. I should think the Members will come in from the separate electorates, partly on party lines and partly on communal lines; but once they come into the Council, they are sure to combine themselves on party lines. I think when the turn of Sir N. N. Sircar comes, who proposes to cross-examine me, I shall

be able to satisfy your Lordship that in Bengal we have tried to run the administration on party lines rather than on communal lines.

9732. May I ask one supplementary question on an important point? Let us take a possible line of division between town and country, merely for the purposes of illustration.—Yes, I find this division emerging and organizations being formed that will promote the division.

9733. Does that mean that in the Muslim electorates, on the one side, and Hindu electorates, on the other, the contest will be between those members who stand, say, for the urban point of view and those who stand for the rural point of view, and that you will get a section of each communal electorate: a Muslim electorate divided between urbanly-minded people and rurally-minded people, and the same with the Hindus; and, therefore, you will get a party in the Legislature composed partly of Muslims and partly of Hindus? Is that your concept?—Yes, certainly; that would be a difference on which political parties can be based. —*Mr. Abdullah Yusuf Ali*: That is already visible in the Punjab today. My friend, Chaudhri Chhotu Ram, leads a party of which it is said that the great number are Muslims.

(*After a short adjournment*)

*Mr. Zafrulla Khan*

Some questions were put to you on some aspects of the constituent powers. I want to draw your attention to one aspect of this question. Apart altogether from the question as to whether the constituent powers should be left in the Indian Legislatures or should be reserved for the Imperial Parliament or should be divided up, would you agree with me that a condition precedent of the modification of certain methods, for instance, safeguards in the method of election and composition of the different Legislatures and so on, should be that any change must have for its support the effective consent of the communities?—*Mr. Abdullah Yusuf Ali*: Most certainly.

9734. With regard to the methods of direct and indirect election, would you be willing to go so far as to say that there are advantages and disadvantages in support of each system, but that on the whole, your inclination is in favour of a direct election?—Yes, that of the Association I represent.

9735. May I draw your attention to one matter which I do not find referred to in your Memorandum, which is this? Certain questions have been raised as to whether one method of election or another method of election will truly reflect the views of the electors, and you have yourself stressed the aspect that we are seeking to travel towards a democracy. Have you considered the composition of that portion of the Legislature which will represent the Indian States? To what extent do you consider this will be in accordance with your ideal?—Well, I think in a matter like that, we ought not to put any dogmatic views about the Indian States. Their representatives are here, and no doubt they will work out a scheme that will fit into our ideas of federation. At the same time, I should like to say that I should very much welcome, personally, any advances made in the Indian States which will bring them more into conformity with our standards in British India.

9736. From one method that you put before the Committee, I was inclined to draw certain conclusions, and I want to put them to you, so that you will set me right if my conclusion seems to you to be wrong as to your views. You said it may be that in course of time representatives from the Indian States may be returned by the Legislatures that may be set up in the Indian States.—I said so.

9737. And then certain communal proportions may not be observed. I rather received the impression that you did not wish that that might come about, but that representatives of the Indian States should be returned by the Legislatures without that happening.—No, that is not my view. I would leave out the States entirely, but I should like to see some sort of representation from the people of the States. Just as we are trying to educate our people in the methods of government and of representation wherever it is possible, I should like to see the Indian States follow similar lines. I may say, for instance, on the question of indirect election, I should have no objection to the States following any methods of their own. What I was saying mainly refers to British India and to the accepted principles there, those which were discussed and accepted by our Conference and our Associations.

*Dr. Shafa'at Ahmad Khan*

9738. You would not regard that as a condition of representative government.—No; to regard that as a condition of representative government would be practically to postpone it to the Greek Kalends.

*Mr. Zafrulla Khan*

9739. May I draw attention to page 4 of your Memorandum headed 'B. Upper Chamber or Council of State'. Some of you may have observed in the Secretary of State's evidence, which you have perused, a scheme which he has suggested to meet what you have put down here in a way which would be briefly this. Under a system of proportional representation from the local Legislatures, the Muslims might get a certain number of seats. They might make up their one-third share by a few seats. The suggestion he made is that those few seats might be made up by allotment to certain Legislatures who might fill those seats by electing Muslim members, and in that election the Muslim members of those Legislatures alone shall take part, and in this way the one-third shall be made up. I see quite well that that is different from what you suggest here, but when you drew this up, very probably you did not know what the suggestion was on the other side. Have you any observations to make upon that suggestion? Would that meet with your wishes?—*Mr. Abdullah Yusuf Ali*: Well, I think it would go a certain way towards meeting our wishes, but I am not quite sure how it would work. —*Dr. Khalifa Shujauddin*: May I add this. According to what the Secretary of State said, according to the reports in the papers, one finds that the Muslims, according to the allocation, will not get any more than 42 to 45 seats.

9740. He said 45 to 46.—He said 45 to 46, but I think he has been rather sanguine about that. I should be rather inclined to put the figure at round about 42, nearer 42 than 45, and filling up the remainder by giving the special seats and trying to make it one-third in that way. The system suggested by the Secretary of State for making up the deficiency in the numbers of Muslim members of the Council of State would not be acceptable to the Muslim organizations generally for two reasons: (1) That the method does not guarantee, in the first place, a one-third of the

whole House; and, secondly, it cannot be said that the Muslims elected in that way would be truly representative of the Muslim ideas and Muslim claims and Muslim rights. On those two grounds, I think I am right in submitting that the scheme suggested by the Secretary of State would not be acceptable to the Muslim community generally.

9741. Would you then still adhere to what you have put forward under heading B?—Well, we would strongly urge that the representations of the Muslims for the Council of State should be by the Muslim members of the various Legislatures through their separate electorates.

*Dr. Shafa'at Ahmad Khan*

9741A. Voting among themselves?—Voting among themselves.

*Mr. Zafrulla Khan*

9742. With regard to sub-head (iii) under heading D, you say: "No seat should be filled by nomination".—On that point, Muslim opinion is also strong.

9743. I wish to draw your attention to this, that at present the proposal is that there shall be a small number of nominated members in the Upper Federal Chamber. I can understand from this clause you object to that small proportion being nominated; but, in case nomination is retained in spite of your strong views that nomination should go, have you any suggestion to make with regard to these nominated members and with regard to their method of allotment?—Yes. I would say that if nomination is to be retained at all, then the power of nomination should be exercised in such a manner as not to disturb the proportion of Muslims; that is to say, the Governor-General should nominate so many Muslims in order to make up their quota of the whole House.

9744. Is your objection to nomination a fear that it might upset the communal balance or on general grounds?—On general grounds; but I said simply, in answer to the question, if it is going to be retained in spite of our views, then we would have it worked that way. That is our position.

*Mr. Zafrulla Khan*

9745. With regard to the franchise for women, I do not

want to embark on any matters which have been the subject of a discussion which has already taken place, but may I put this briefly to you. Should I be correct in assuming that your objection is the differential qualification, and that if some qualification could be devised, provided it were practical and provided it applied both to men and women, would you have any strong objection to it merely because it increased the number of women voters?—No. We were asking only for a personal franchise qualification.

9746. I was rather under the impression from one answer that even that kind of qualification was not accepted.—No! No!

*Sir Austen Chamberlain*

9747. May I ask one question on that. Have you any proposal to make for some other qualification for women which would give them something like equivalent weight in the electorate to that which they would have under the White Paper?—*Sir Mohammed Yakub*: If certain invidious laws and customs, which exist in many of the Provinces are removed, there would be no difficulty about bringing in a larger number of women on the electoral roll.

9748. I am afraid I do not quite know enough to understand that answer to the question.—My point is this. It is on account of certain laws and certain customs in certain Provinces that women are deprived of their right of voting. If those unwholesome laws and customs are removed, then there will be no difficulty in bringing a larger number of women on the electoral roll.

*Mr. Zafrulla Khan*

9749. We are getting into a circle. We have been told, and no doubt it is true, that with a larger number of women on the electoral roll, it would be easier to modify these laws. But you say we must get the laws modified first and then it will be easier to get women on the roll.—*Sir Mohammed Yakub*: I do not admit the first proposition. It is not necessary in order to get these amended that there should be a larger number of women in the Council Chamber. So far as the Muslims are concerned, probably the men are more strong on the point that these customary laws should be removed or abolished.

9750. I cannot put it on numbers, as I have not looked very carefully at the numbers; but perhaps some sort of educational qualification applied equally to men and women would better the proportion of women.—Certainly. We do not want the differential qualification. Barring that, if there are any qualifications which are similar for men and women, then we have not the slightest objection to raising the number of women on the electoral roll.—*Dr. Khalifa Shujauddin*: Subject to the general condition that what is devised is practicable.

*Sir Hari Singh Gour*

9751. You say on the one hand you want to amend the law, and yet you say you do not want to amend the law—I do not understand your position.—We mean that we do not desire that religious laws should be interfered with by Bills in the Legislative Assembly.

*Mr. M. R. Jayakar*

9752. What do you mean by religious laws?—Laws which relate to matters affecting our personal customs and the religion of Muslims and so on.

9753. If the law of inheritance is a religious law from the point of view of the Mohammedans, how is it possible to change the form of inheritance to give women certain property rights?—In the case of Muslims, do you mean?

9754. No, I am not speaking of the Muslims. If you have a rule applicable to all classes that religious laws should not be altered, is that to be a general rule, or do you mean that it shall only apply to the Muslims?—No, I would leave it to every community to consider for themselves if they want their laws to be altered by the Legislative Assembly; but so far as the Muslims are concerned, I would not like the Legislature to interfere in my personal religious customs and laws.

*Sir Hari Singh Gour*

9755. You have told us that the marriage law is a civil contract under Muslim law.—Quite so.

9756. Yet you say that the marriage law is a religious law.

—The marriage contract is a civil contract, but the whole system of marriage is interconnected with religion: it is a matter of religious instruction as well.

*Mr. M. R. Jayakar*

9757. You realize that if every community set up this claim that nothing affecting religion shall be altered, no reform is possible.—I cannot say about other religions, but I do not think that there is anything in the Muslim religion which will stand in the way of reform.

9758. You realize further that if the Mohammedans set up such a claim for themselves, the other communities will demand similar protection.—It is open to every community to ask for whatever protection they think necessary to protect their religion.

*Mr. Zafrulla Khan*

9759. In order to meet one small difficulty, we are getting into a much larger difficulty. I think you will realize that it will perhaps be easier to devise some qualification than to wait for a modification of laws. However, probably what you have in mind is this. So far as the Muslims are concerned, you have already developed the point that under their present law women have a certain share of inheritance, but in some Provinces customary law interferes with this. But may I put it to you that people who do want to follow custom have an equal right to ask that the law applicable to them shall be safeguarded as you have to ask that your present laws shall be safeguarded, so I think we need not get into a discussion of that kind if I have your support to the suggestion that an equal qualification can be devised?—*Sir Mohammed Yakub*: I have already expressed our view on that.

*Chairman*: Did you conclude your question, Mr. Zafrulla Khan?

*Mr. Zafrulla Khan*

9760. I said if I had the Witness's support on that point, I need not pursue this matter further. Quite right.—*Mr. Abdullah Yusuf Ali*: To be perfectly frank, it is difficult to devise any

general formula which will bring in men and women in equal numbers. But my point is that gradually with the increase of education amongst women, with the improvement of their social status and with the advance in social standards, it is inevitable that women will come in in larger numbers. We are not legislating for just the present or for the immediate future. We are legislating more and more with a view to normal conditions, and I contend that if some educational or other formula is adopted, gradually the number of women would come up to the number of men.

*Sir Austen Chamberlain*

9761. May I ask the witness one question on that point? What is the educational test which you suggest? I gather from your answers that to rectify the disability of women at this moment, if the qualification in respect of their husbands is withdrawn, you look to educational work and an educational test.—Yes.

9762. What is the educational test?—I will go so far as literacy, if necessary.

9763. You would take literacy?—Yes.

9764. You say 'if necessary'. Can you give me an answer without a qualification?—I am saying 'if necessary' for this reason, that I have not consulted my colleagues and I am here speaking my own mind. I do not know how many people it would let in, but personally I should be quite prepared to accept as many people as come in under the pure literacy test.—*Sir Mohammed Yakub*: Where it is practicable.

9765. Without requiring a school or university diploma. *Mr. Abdullah Yusuf Ali*: That is so.

*Sir Austen Chamberlain*: Forgive me for pursuing this, but I am very anxious to get at the mind of the witnesses on this point.

*Mr. Zafrulla Khan*: Certainly.

*Sir Austen Chamberlain*

9766. May I ask whether the answer is agreed to by those who are sitting on either side of you?—*Mr. Abdullah Yusuf Ali*: I do not know that.

9766A. May I ask them to tell us?—*Sir Mohammed Yakub*: Well, we have no objection: providing it is practicable under the conditions in India—if it is practicable to have such a huge electorate as would include all the literate persons. We have to consider the area of the country and the very large number of people in the population, and we have also to consider that we are going to make a start, and therefore we should not make such a start as would make the elections impossible.

9767. That is a general answer. I take it you would have no objection in principle to the literacy test.—No, not in principle, provided it is practicable.

9768. Provided it is practicable.—*Dr. Khalifa Shujauddin*: That is so.

*Mr. Zafrulla Khan*

9769. Those are considerations which those who are asked to put into operation the reforms will have very much in view.—*Sir Mohammed Yakub*: Yes.

9770. May I draw your attention to page 6 of your Memorandum? I do not want to reopen matters which have been settled, but there are one or two aspects of this particular question which have been raised which I want to clear up. Sardar Buta Singh put certain questions to Dr. Shujauddin, and I want to put one or two supplementary questions from rather another aspect. From the figures supplied to us one finds, and it is corroborated by the Table in Appendix 3 of the White Paper dealing with Provincial Legislative Assemblies, that so far as Orissa is concerned, the only other minority which has any seat is the Indian Christian minority, one seat.—*Mr. Abdullah Yusuf Ali*: And backward areas.

9771. With regard to that, I may inform you that it has been the case in Orissa that the backward areas have definite affinities with the Oriyas.—Yes.

9772. That being so, may I put this aspect of the case to you? So far as this complicated and vexed question is concerned, of weightage, would you agree with me that one consideration always is what kind of representation would all the minorities combined get under this scheme so that they could influence, when all combined together, the decisions of the majority to a

certain extent?—I should like to suggest that the Muslim minority should not be treated simply like any other minority, for this reason. In Orissa locally it has very little strength, but in India taken as a whole, it is a very strong body, a body even stronger than its mere figures would represent. That is why I think that a Muslim who happens to live in Orissa should not be penalized for the reason merely of his residence there from exerting his proper influence.—*Dr. Khalifa Shujauddin*: Apart from what Mr. Yusuf Ali has said, may I say this in addition? In deciding the question of weightage, what we ought to take into consideration is not merely the numerical figures of the particular minority concerned, but also the fact as to what influence the minorities in that particular Province are going to exert. I am very strongly of opinion that is a very important matter to consider.

9773. You think it is a very important aspect of the case.—It is a very important aspect of the case. That is an aspect which cannot be ignored for this reason. After all, the principle of weightage is based on the consideration that the minorities shall get some sort of effective representation or some sort of opportunity of voicing their sentiments in the particular Council concerned. If minority A, coupled with minority B and minority C in a particular Province, all taken together remain at a very low figure, it is not possible to say those minorities have any proper share of representation. That is also a very important fact to be considered in determining the weightage to be given to any particular minority or to any group of minorities in any particular Province.

*Mr. M. R. Jayakar*

9774. Will you kindly refer to Appendix 3 in the White Paper and look at the North-West Frontier Province and Sind. There are few minorities there in addition to the Hindu minority?—The Muslims are in a majority there.

9775. So far as the North-West Frontier Province and Sind are concerned, there are hardly any minorities there besides the Hindus.—I do not quite follow your question.

9776. You stated that the absence of other minorities in a Province ought to indicate that the Muslim minority ought to

have more protection than otherwise. That was the point which I put to you before. What I am saying is, if you look at the North-West Frontier Province, under the several headings, and also the Sind Province, you will find there are practically no other minorities there besides the Hindu minority?—I do not understand you. In the North-West Frontier Province the Muslims are in a majority.

9777. I am speaking of the Hindus. There are hardly any other minorities than the Hindus in the North-West Frontier Province and Sind.—Yes.

9778. Therefore, according to your argument, the same considerations must apply to the extra weightage of the Hindu minority.—Yes, and my contention is that they have got the same consideration.

9779. You agree the same consideration should apply.—Yes, only I say that it has been applied.

9780. May I put it to you, in the North-West Frontier Province the Hindus and Sikhs have been given 24 per cent of the total representation?—*Mr. Abdullah Yusuf Ali*: Yes.

9781. And that in Sind, the Hindus and Europeans have been given just over 33 per cent?—Yes.

9782. But that the total given to all the minorities in Orissa is only 8.4 per cent?—Yes, that is a very good point.

*Sir Hurbert Carr*

9783. Do you think that the addition of two seats in the case of Orissa might help ultimately?—*Dr. Khalifa Shujauddin*: It would help to some extent—four seats to the Muslims will help.

*Mr. Zafrulla Khan*

9784. Have you noticed also that the representatives of the majority before the Committee have said they would be glad that the Muslim representation should be raised from two to four seats out of sixteen?—I have not seen that.

9785. Do not you think the fact that that is said ought to be a prevailing consideration? The fact that the majority in a particular Province is willing to give more weightage to a particular minority should go a long way in deciding that

particular point.—*Mr. Abdullah Yusuf Ali*: It is a decisive argument, if I may say so.

9786. Let me draw your attention to sub-heading (b) on page 6 under the heading 'Upper Chambers'. You are aware what the proposal is as to Upper Chambers in the three Provinces, Bengal, Bihar and the United Provinces. Here you have said, "There should be no Upper Chamber in Bengal". Have you any other view with regard to the other two Provinces or do you accept the White Paper Chambers in the other two Provinces?—*Mr. Abdullah Yusuf Ali*: May I say this? With regard to Bengal the position is so clear because the Legislative Council and public opinion have declared themselves [emphatically] against a Second Chamber.

*Sir N. N. Sircar*

9787. Not emphatically.—Well, I will omit 'emphatically' if you think it is too strong a word. But with regard to the United Provinces and Bihar, the position is not quite the same. There are many of us who do not want Second Chambers in either of those Provinces; but we consider on the whole we should not prevent those two Provinces from having Second Chambers, because there are some of us who think that Second Chambers are important and should be allowed in these Provinces.—*Dr. Khalifa Shujauddin*: As a matter of fact, the United Provinces themselves have asked for a Second Chamber.—*Sir Mohammed Yakub*: The opinion in the United Provinces is pretty strong about having a Second Chamber, and in that respect we support the proposal of the White Paper.

*Dr. Shafa'at Ahmad Khan*

9788. The United Provinces Legislative Council has passed a resolution in support of that view.—Yes, they have, and I think that public opinion is pretty strong in support of that view.

*Mr. Zafrulla Khan*

9789. With regard to nomination in the Upper Chambers of the Province, may I assume your views are the same with regard to nomination in the Upper Federal Chamber?—*Dr. Khalifa Shujauddin*: Yes.

9790. May I put a further question on this question of nomination. It has been suggested that it should be open to the Governor where there are Upper Chambers, and the Governor-General in the case of the Upper Federal Chamber, to select one or more Ministers or even the Prime Minister or the Chief Minister, as the case may be, out of the nominated members. Have you any views on this question?—To that we would object most strongly.

*Sir Austen Chamberlain*: Will you ask the witness whether he would object equally strongly if the Governor only exercised that power on the advice of the Prime Minister or his Cabinet?

*Mr. Zafrulla Khan*: It is rather difficult for me to explain this question. I have tried to do so because I want to understand myself. I do not understand whether it was meant that the Prime Minister should first be selected and that he should provisionally form a Cabinet, and then the Prime Minister and the Cabinet, or the Prime Minister on behalf of the Cabinet, should make a request to the Governor-General, or to the Governor, that one or more members may be added to the Cabinet from this group.

*Sir Austen Chamberlain*: Those are two distinct proposals no doubt.

*Mr. Zafrulla Khan*: The first one I put generally.

*Sir Austen Chamberlain*: The one which I put definitely to the Secretary of State, which he thought was worthy of consideration, was whether Ministers desiring a colleague who was not the holder of an elected seat should be deprived of the chance of having him—in other words, whether a nominated member could never be made a Minister even if Ministers desired him as a colleague. I did not enter into the question as to whether it would be the Prime Minister, on forming his Cabinet, who should ask for it or whether it should be the Ministers who should ask for it, but the point is that it would be done only with the concurrence of the Ministry. Would your objection apply if the Ministers asked for it?

*Mr. Zafrulla Khan*: Do you mean Ministers who have already been chosen? Do you mean they have accepted their portfolios, and having done that, they make the request?

*Sir Austen Chamberlain*: Yes.

*Mr. Zafrulla Khan*: They make the request then to the Governor that certain persons from the nominated members should be added to the Ministry.

*Sir Austen Chamberlain*: Yes.

*Mr. Zafrulla Khan*

9791. I would like to know your opinion on that.—*Mr. Abdullah Yusuf Ali*: There is this difficulty about it. According to the Secretary of State's evidence, there is neither a Prime Minister nor joint responsibility of the Ministers at the beginning in the Constitution. He thought that might grow up as a convention or as a custom. In that case, can there be what is called a recommendation of the Ministry—there is no joint responsibility? One or two Ministers might want a man and the other two Ministers perhaps might not want him. How are we to judge whether the request has the unanimous consent of all the Ministers?

*Nawab Sir Liaqat Hayat Khan*

9792. May I clear up that point by asking one supplementary question so as to understand exactly what is meant? The Council is elected and the Governor or Governor-General sends for the representative in the Council who has the largest following and offers him the Prime Ministership, and then asks him to form a Cabinet. The point is, is it open to the Prime Minister to suggest as one of his colleagues a nominated member of the Legislature?—*Mr. Suhrawardy*: I should think it would be very improper. It would be an incentive to people to try and seek nomination rather than election.—*Mr. Abdullah Yusuf Ali*: It would cut the ground from under the feet of the elected Ministers, I think.

*Sir Austen Chamberlain*

9793. You do not wish to have for India the liberty that any Prime Minister has of forming a Government here, through the existence of our House of Lords, to secure as a colleague a man who has not gone through the process of election.—*Dr. Khalifa Shujauddin*: May I submit in reply that the analogy is

not quite fair? I do not think it holds for the simple reason that here in England, if a gentleman is raised to the peerage and becomes a Member of the House of Lords, he, *ipso facto*, becomes altogether independent of the Government. He is a member of the House of Lords for life. It is hereditary. His son becomes a Member after him. He can behave and vote and act in any manner he likes, irrespective of the wishes of the Governor-General or the Governor for the time being. In India conditions are different. A man would be nominated only for a term, and he would have tnis sword of Damocles hanging over his head all the time. If he at any time goes astray—using that word from the point of view of those who nominated him—then he will lose his chances of renomination next time, and that consideration would always act to the detriment of the administration.—*Mr. Abdullah Yusuf Ali*: In other words, he is not independent.

*Dr. B. R. Ambedkar*

9794. Would your answer be modified to any extent if these nominations which are to take place for the Upper Chamber were nominations which took place on the advice of the Ministry? —*Dr. Khalifa Shujauddin*: No, I do not think that would make any substantial difference.—*Mr. Suhrawardy*: There is the present method that if a person is chosen as a Minister when he is not a Member of the Council, he has to seek election within six months of his appointment. If a nominated member was so chosen, I think he should certainly be asked to face an election before six months.

*Marquess of Zetland*

9795. Arising out of Mr. Yusuf Ali's reply, may I ask him whether he is in favour of or opposed to joint responsibility of the Cabinet?—*Mr. Abdullah Yusuf Ali*: I think if we are to work representative institutions, we must have joint responsibility and a Prime Minister.

9796. Your answer was based on the assumption that you would not have joint responsibility?—I understood from the published reports of the Secretary of State's evidence that he did not contemplate joint responsibility, or even the existence of a Prime Minister, as a matter of constitutional arrangement. I thought he said that would be left to grow.

*Sir Austen Chamberlain*

9797. As it has in this country.—Yes.

9798. He hoped that that convention would grow up in practice in India also.—Yes, but the difference is this. In this country the whole Constitution grew, whereas in India we are making a Paper Constitution.

9799. What the Secretary of State said was that he did not think it advisable or useful to put into an Act a provision establishing joint responsibility.—*Dr. Khalifa Shujauddin*: That is what I understood.

*The Archbishop of Canterbury*

9800. It was a mere matter of definition.—Yes, but where there was a convention of joint responsibility.

*Sir Austen Chamberlain*

9801. That was the Secretary of State's hope, and I think Mr. Yusuf Ali has rather misunderstood the Secretary of States' argument.—*Mr. Abdullah Yusuf Ali*: I should like to see something in the instrument of instructions, or somewhere, laid down about it. I do not say that it should be laid down in the Constitution; but without some understanding of that kind in the framework of the proposals, I think we shall have difficulties.

*Earl Peel*

9802. May I ask one question in regard to Sir Austen Chamberlain's point? Would your objection to that proposal take this form? In such a Ministry which included a Minister drawn from the nominated members, the position would be that the other Ministers would be responsible to a constituency, but this particular Minister would be responsible to no constituency. Does your objection take that form?—*Mr. Abdullah Yusuf Ali*: Yes.

*Sir Hari Singh Gour*

9803. Further, if there is joint responsibility, that responsibility is to the Legislature.—That is so.

9804. From which the Ministers are drawn and who can remove the Ministers.—Yes.

9805. Is that joint responsibility consistent with the fact that one of them is a nominated member and holds no allegiance to the Legislature?—I do not think it is.

*Sir Austen Chamberlain*

9806. Why not? He would be a Member of the Government and as such responsible to the Legislature, even though he were not a member of the Legislature.—Well, I think the rule should be as was suggested, that if a person not a member of the Legislature is taken into the Ministry, he should seek election within a definite period.

9807. I understand that is your view; but what I was trying to put to you was that the objection raised to the other suggestion is not a good objection. The Ministers, whether chosen from an elected body or from the nominated members, would be equally responsible to the Legislature and would be displaceable by them.—Not if there is no full joint responsibility.

9808. Why should there be no joint responsibility? There may or may not be; but assuming that the Secretary of State's hopes are fulfilled and there is joint responsibility, the joint responsibility will cover the nominated member just as it does the elected member. May I have that question answered?—It seems to me that even there the joint responsibility would be different in quality. The elected man's responsibility to the Legislature arises in virtue of the fact that he is sent there by his electorate, but the man who is nominated has no position of that kind.

9809. I have no responsibility to the House of Commons in virtue of being elected, but I had a very real responsibility to the House of Commons when I was a Minister of the Crown, dependent on the vote of the House of Common.—But you were responsible to the House of Common as a Minister because you were sent to the House of Commons by your constituents.

9810. Not at all. Some of my colleagues in the Government, as in every Government in this country, were drawn from the House of Lords. Their joint and several responsibility is equal with that of their colleagues, though they undergo no election.—I quite understand that, but that again is a different feature of the British Constitution. The House of Lords in England is representative of a certain section of people, the nobility, because it

practically includes the whole of the nobility of England and elected members of the nobility of Scottland. That being so, he does owe his position to the fact that he is there because of his roots in the country.

9811. Not at all. The peer is there because the peer in the old days was practically the boss.

9812. I listen to the witness with great respect when he talks of Indian conditions; but when he expounds the British Constitution, he must permit me to remain of my own opinion.—That is perfectly right.

9813. May I put this consideration to you? Do you think the Ministries in the seven Provinces where no Upper Chambers are sought to be set up are likely to be defective in any way and lack talent because there would be no nominated members from which somebody resembling Their Lordships could be chosen as a Minister?—I do not see that at all.

9814. Therefore you cannot see why it should be necessary that the Governor should have that help only in three Provinces out of ten.—Quite; and I do not think it is likely that Ministers will recommend people who are of the Upper House.

9815. May I draw your attention to Section VII, sub-head (c) (ii), 'Universities', in your Memorandum? Sardar Buta Singh was putting questions to Dr. Shujauddin, and he said that the suggestion that the electorate of this constituency should consist of members of the Senate or the Court was undemocratic; and I put this to Dr. Khalifa Shujauddin, that under the very next head, 'Commerce', surely there would be no suggestion that every shopkeeper and trader should have a vote. Is it not rather that special interests are sought to be represented under these heads, and the University being the seat of learning, the vote is given to learning rather than to education?—*Dr. Khalifa Shujauddin*: I wanted to say the same thing. The mere grant of a seat to a University is not because of democratic considerations, but because it is considered desirable to have a seat of learning also represented on the Provincial Council, and if you are going to attain that end, then the only possible way seems to me to be to have a constituency of people who are directly associated with learning. To give a vote to a graduate, as at present, of seven or ten year's standing amounts to giving a vote to

a person who in nine cases out of ten is detached from the University and has most likely taken the earliest opportunity of forgetting what he learned there and has nothing whatever to do with the University or its conduct or administration in the future; and on those grounds, I think the desirable thing to do is to give a vote to the fellows or members of the Court as the case may be.

*Sir Hari Singh Gour*

9816. Would you in that way alter the English electoral roll?—I am not concerned with the English law. As Sir Austen Chamberlain pointed out just now, I am concerned only with India. We have sufficient difficulties of our own to tackle.

*Mr. M. R. Jayakar*

9817. You agree there are two views about this question in India.—There are two views about everything in India.

9818. Not only that, but in many Provinces the system has been at work, of graduates of a certain number of years' standing choosing the representatives.—That is the present system, and I may also inform you, this question was considered by the Senate of the Punjab University of which I happen to be a member, and there it was decided to ask the Government to recommend that the Punjab University should have two seats, one filled as at present by the graduates, the Member being returned by the graduates, and the other Member should be returned by its Senate.

*Mr. Zafrulla Khan*: That is a very good illustration of two views.

*Mr. M. R. Jayakar*

9819. May I pursue that by one more question? Take the Bombay University. You are aware that the system there prevailing since the days of the Montagu-Chelmsford Reforms is that the graduates of a certain number of years' standing select the representative.—Yes.

9820. Are you aware that up to now the men selected have been men who have been in actual touch with the University?—I do not know that it is so.

9821. May I tell you that it is so? Therefore, your fear has not materialized as regards Bombay University, that men will get in who have no actual touch with the University?—I was saying that the electorate would have no direct touch with the University. I was not talking of the candidate returned.—*Mr. Suhrawardy*: It is not only that the electorate may have no contact, but a candidate may be returned who has no contact with the University. For the Dacca University constituency a certain gentleman stood, who had no concern with the University, against a Member of the Court of Dacca, and a person intimately connected with its administration, and the gentleman who had no connection with the University at all, except as an inactive Member of the Court, and who had taken very little part in the working of the University, was returned.

9822. Under your system in those Universities where the contrary system prevails, graduates of some years' standing, who have at present the vote, will be deprived of it.—But they will have the right as members of the general public in respect of other constituencies.

*Mr. M. R. Jayakar*: But not as graduates.

*Mr. R. A. Butler*

9823. The Franchise Committee on page 138 of their Report say that in many cases the Senate is laregly formed by nomination. That is their objection.—*Mr. Abdullah Yusuf Ali*: That is being altered now. The Senate is being more and more elected.—*Mr. Suhrawardy*: That is a reform which ought to take place.

9824. Before you adopt your scheme?—*Dr. Khalifa Shujauddin*: I can only speak as far as the Punjab is concerned; and at present there is a scheme before the University for making the Senate or the Court more elective than it is at present.

*Mr. Zafrulla Khan*

9825. May I draw attention to Section VII (f) of your Memorandum, where you talk of the control of the Provincial Government over the All-India Services? I rather think you mean, although it does not expressly say so, that the Provincial Government should have control over all officers serving in the Provincial sphere.—*Mr. Abdullah Yusuf Ali*: Exactly.

9826. It was rather generally put there.—Yes.

9827. May I draw your attention to Section VII, sub-head (g) (i): "A substantial measure of Reform should be immediately introduced in Baluchistan". A consideration was put before you that the population was nomadic and there being customary laws and so on, there may be certain difficulties. Would something of this kind perhaps meet your wishes? There is, as you are aware, already the Jirgah system in Baluchistan.—Yes.

9828. And the Shahi Jirgah, as it is called, performs many administrative duties.—Yes.

9829. The Jirgah may be adopted as a Provincial instrument for legislation, and the unit may then be knit up into the Federation at the top, just as any Indian State may be knit up, although they have no local legislature and so on.—That is a very good consideration, but it would have to be considered in view of local conditions and local wishes.

9830. I am sure you are aware that there is some difference—there is bound to be a difference—with regard to the size of the Federal Legislature, and I do not think it is a matter where you could be very exact, but what would be the views of your Associations as to whether the size proposed in the White Paper is the minimum from which we should start, with the view that some time hence, when the franchise is extended, we shall be forced to extend the numbers, or would you start with something smaller and work up to it gradually?—I think the first alternative would be more acceptable, although we have not definitely considered that point.

*Dr. Shafa'at Ahmad Khan*

9831. Mr. Yusuf Ali, I am sorry I have to deal with questions of women's franchise again, but could you clear up one point? Am I right in concluding from your replies to various questioners that the Muslim Conference, as well as the Muslim League, are not opposed to the extension of women's franchise?—That is correct.—*Mr. Mohammed Yakub*: We are not opposed at all.—*Mr. Abdullah Yusuf Ali*: In fact, I think there is a very strong desire to do full justice to the women.

9832. And you are prepared to consider any alternative

proposal that may be put forward later on which is practicable and feasible.—Certainly. In that matter, even very much further than our Associations; but I think our Associations would certainly welcome any feasible proposals which did not cut across the principles which we have mentioned.

9833. Mr. Yusuf Ali, arising out of the questions which were asked by Lord Zetland, am I right in concluding from the replies that what the Mohammedans of Bengal have got, according to the White Paper scheme, is not a majority but a minority in the Legislature?—Yes.

9834. That they are only 47.7 per cent?—As arranged in the Constitution, whereas they ought to be a good deal more; I think 54 or 55 per cent.

9835. May I put this question to Mr. Suhrawardy: Is it possible for the Muslims of Bengal, even if they get a majoritiy, to run the administration without the co-operation and support of the Hindus?—*Mr. Suhrawardy*: It would be totally impossible to do so.

9836. What has been your experience of the working of reforms in the last ten years?—I cannot conceive that a large and powerful minority like the Hindus—powerful both inside the Legislature as well as outside, because their influence outside the Legislature and their numbers outside the Legislature will have tremendous influence—can be ignored; and it will be necessary, in the formation of any Constitution, that due and proper consideration is paid to their influence.

9837. Am I right in saying that no Muslim of Bengal or of India has ever said that a communal majority should rule over Bengal?—Far from it. The view of the Muslims has been that in no Province ought a communal majority to rule over the minority, and particularly in Bengal and in the Punjab it has never been conceived that there can be a government by a communal majority.

9838. You do not visualize any communal Ministry in any Province of India?—I cannot say that. In some Provinces, particularly where the Muslims are in a very small minority, it might be possible to ignore their wishes, and that is the reason why we have put in a suggestion that there should be at least one Muslim Minister in every Province in which the Muslims

are in a minority; but there is no Province, I think, in which the Hindus are in such an ineffective minority that they can be ignored in the formation of a Ministry.

9839. Our experience in the United Provinces Legislative Council has been that it has been impossible to form a communal party in the Council, and every Muslim and Hindu has discouraged it. Do not you think the same conditions would prevail when responsible Government is established in all Provinces?—It has not been possible, in Bengal at least, to form a communal party. We have never been able to do it; and it has been our experience that the Hindus and the Muslims have voted in the same lobbies on questions of separate interests, as their interests have been affected rather than as communities.

9840. So in future there will be party organizations which will work on non-communal lines both inside and outside the Legislative Council.—I sincerely hope so; and, more than that, in Bengal, as is well known, we have had parties in which both Hindus and Musalmans have been members.

9841. And those parties must be non-communal in their outlook.—They are non-communal in their outlook.

9842. And non-communal in their policy and programme.—Quite so.

*Marquess of Zetland*

9843. If that is so, Mr. Suharwardy, if parties in Bengal are to be formed not on communal lines at all, but, as suggested, on lines between the urban and the rural interests, why is there any necessity to have separate communal representation?—The reason for that is that we ought not to leave any loophole for, if I may put it, the increase of communalism. We think that separate electorates minimize communalism. That has been our experience. We come in from different sources, through different gates, Musalmans and Hindus. They have come and sat together in the same Chamber, and they have co-operated with each other; whereas, in the case of joint electorates, unfortunately, it has been our experience that it has led to considerable exasperation of feeling.

*Archbishop of Canterbury*

9844. May I just follow that question for a minute? It

is just the question I was going to ask. I think you have said that you would welcome the Governments passing outside the bounds of communal origin, and forming other links with one another; but, if the electors are strictly bound by these tight bonds of community, what is their position? They will have to vote according to communal interests and desires.—It has been our expereince that the points of contact between the two communities are considerable. There are points of difference too. These points of difference cannot be ignored, and it is necessary, therefore, to see that the separate interests of the two communities are kept in view; but, at any rate, we are apt, if I may so put it, to minimize the points of contact as well. I can conceive the Hindu electors sending in a Hindu representative on, say, the rural issues, and Musalman electors sending in representatives on the rural issues. There can be no doubt that these two gentlemen, when they come into the Council, will combine together on certain political party lines, while, at the same time, if matters arose which definitely affected a community as a community, for instance, in the matter of services, in the matter of contracts, in the matter of education, or matters of this nature, then I would conceive that the Musalman will see that his rights are not ignored; the Hindu will see that his rights are not ignored; and, on the other hand, this coming together and mingling on political party lines will certainly give them a certain sense of toleration, and a regard for each other's views, and a desire for compromise which at the same time conserves the interests of the two communities.

9845. The communal voters meanwhile would often be encouraged to vote on party rather than communal lines.—Yes, that is what is happening. At present there is a very strong movement on these lines, that the Musalmans are organizing themselves on rural and urban lines, the Hindus are organizing themselves on rural and urban lines.

9846. From that it would seem that gradually the necessity for strictly communal electorates would disappear.—As soon as the mutual distrust and suspicion, which unfortunately is there, disappears—and I feel certain it is bound to disappear when we work with each other with a certain sense of responsibility—then there will be no reason to keep to separate electorates.

9847. Is it your view that in that case, supposing there are greater facilities for responsible government in the Provinces, these communal tensions would be mitigated?—That is what we are hoping for. There is a risk certainly underlying it, but we are hoping that this would happen. There is a great justification, if I may so put it, for separate electorates [in] that, as matters stand now, we are actually living in two separate compartments. We live as two peoples side by side. As a matter of fact, that this is so can be proved by the fact that even in a city or a village there are quarters in which Muslims live as a whole, and quarters in which Hindus live; and, this being so, we do not know so very much of each other, and we seem to consider that under these conditions joint electorates would be a very artificial thing, whereas separate electorates will truly represent the electorates as they exist at the present moment.

*Mr. M. R. Jayakar*

9848. I thought you said a few moments ago that the points of contact between the two communities were many.—In the sense that all of us are interested in irrigation, all of us would be interested in health, all of us would be interested in all those beneficial works which would affect the population as a whole, totally irrespective of whether the population is Hindu or Muslim.

9849. You have a hope that out of communal majorities some day the majority will ask for joint electorates.—I think so.

9850. When do you think that such a millenium will be reached; at the end of what period?—It would depend on what kind of leaders we produce.—*Sir Mohammed Yakub*: That would come when the majority community would widen their outlook and become more tolerant.

*Sir N. N. Sircar*

9851. That is so, and the Mohammedans are the majority in Bengal.—*Mr. H. S. Suhrawardy*: No, they are not; they are in a minority in the Legislature, and they are therefore unable to influence the Legislature.

*Dr. Shafa'at Ahmad Khan*

9852. I gather that your point is that the fact of the exis-

tence of separate electorates has not militated against the formation of non-communal parties in the Legislative Councils and the Assembly for the last 13 years.—That is so.

9853. And in the future the more points of contact that may be created and developed owing to the creation of autonomous provinces the more the communal tension will decrease. —Yes.

9854. Therefore you hope you will have joint electorates in the fulness of time.—That is so.

9855. In reply to a question asked of you, am I right in concluding from the reply you gave that the All India Muslim Conference and the All India Muslim League are prepared to work the reforms as embodied in the White Paper?—*Mr. Abdullah Yusuf Ali*: Yes.

9856. And, although you require modifications along the lines indicated in your Memorandum, still you are prepared to enter the Council and to work it, striving all the time to justify secure modifications in the Constitution on the lines of your Memorandum to the Committee.—We do not believe in non-co-operation.

9857. The Muslim community as such during the last 13 years has been co-operating with the Government against civil disobedience and supporting law and order.—Very strongly.

*Mr. M. R. Jayakar*

9858. There are many sections of the Hindu community who have done the same.—Certainly.—*Sir Mohammed Yakub*: And we are delighted that it is so.

*Dr. Shafa'at Ahmad Khan*

9859. Am I right in concluding, from a reply you gave to Lord Salisbury, that the Muslim Conference and Muslim League are not opposed to the establishment of responsible government in the Centre as outlined in the White Paper?—*Mr. Abdullah Yusuf Ali*: No, they are not opposed.

9860. And the paragraph I am just quoting, paragraph 13, in the 'Introduction' in the White Paper, is: "At the same time His Majesty's Government do not contemplate the introduction

of the new autonomous constitutions in the Provinces under conditions which will leave Federation as a mere contingency in the future. It is probable that it will be found convenient, or even necessary, that the new Provincial Governments should be brought into being in advance of the changes in the Central Government and the entry of the States." Do you agree with this?—Yes.

9861. I was not quite clear as regards the reply you gave on the question of income tax. You are not opposed to the principle of uniformity of rate for income tax throughout India.—Not at all.

9862. Also you are not opposed to the distribution of the proceeds of the income tax among Provinces in accordance with any principles or suggestions that may be made later on after inquiry.—Provided it was equitable.

9863. And you would not be opposed to the retention even of a part of the income tax by the Central Government.—If it was absolutely necessary.

9864. You would not be opposed to it.—No.—*Mr. H. S. Suhrawardy*: Speaking for Bengal, I think there is a very strong feeling there that the income tax collected from Bengal should be allotted to Bengal, otherwise we should not be able to carry on.

*Sir Akbar Hydari*

9865. In addition to the jute duty?—Certainly in addition to the jute duty.—*Mr. Abdullah Yusuf Ali*: Every Province would like to retain as much of the revenue as they could, but I think minor adjustments are possible.

*Sir Hubert Carr*

9866. Did not I understand you were prepared to have certain adjustments with various Provinces of the income tax?—As I say, as a particular principle, we should like to see the income tax as a Provincial resource; but, if on a full review of the whole circumstances minor adjustments were necessary, I do not think there would be any difficulties about those.

9867. From your Associations?—From my Associations.

*Dr. Shafa'at Ahmad Khan*

9868. Mr. Yusuf Ali, I do not know if you have studied

the part of the White Paper dealing with Federal finance.—Yes.

9869. Do you agree generally with the framework of the scheme outlined in the White Paper regarding finance?—I think it is rather sketchy myself.

9870. You want it more detailed.—I should like to see more detail.

9871. I am dealing only with the principles there, not with the detail at all.—Of course the Committee has had the advantage of a very careful study of the financial question before it, and I do not know that I can add any useful remarks.

9872. You are not opposed to the general principles of the Federal finance scheme.—No, but I do not see any very definite principles in the White Paper. I should like to see something more definite, something that I could picture to myself as leading up to a good financial situation.

*Lord Eustace Percy*

9873. Is not what you want not a little more principle, but a little more money?—*Mr. H. S. Suhrawardy*: May I say that we should not like to give up income tax to the Centre unless it was absolutely necessary for the financial stability of the Centre?

*Dr. Shafa'at Ahmad Khan*

9874. With regard to the election of representatives to the Lower House, the Federal Assembly, contact with the electors will depend, will it not, partly upon the extension of the franchise; because if the franchise is extended the constituencies will be smaller in size?—*Mr. Yusuf Ali:* Yes.

9875. The more the franchise is extended, the more the constituencies will be reduced in size and the more contact will be increased.—Yes.

9876. The Muslim Conference and the Muslim League are both of the opinion that the present method of election to the Lower House of the Federal Legislature should be maintained.—That is so.

9877. Then regarding the constituent powers, about which you gave certain replies to questions that were put, am I right in concluding from your replies that you do not wish to vest the

Federal Government or the Federal Legislature with complete power to amend the Constitution in any way it likes?—That is so.

9878. And that you would like the Federal Legislature to have the power only of amending parts thereof which would not be objected to by the various interests concerned?—Yes, that has already been stated.

9879. You would not have any objection to the power to reform the franchise being vested in the Federal Legislature, provided certain safeguards for minorities are observed.—Quite right.

9880. Then with regard to the Advisory Committee, a proposal was made that an Advisory Committee or a Committee should be appointed to advise the Minister regarding Law and Order. Do you think that such a Committee can really function in a matter which is strictly [in the] executive and administrative sphere?—I think it would be very difficult, and also the delays would be so great that probably it would defeat its own object.

9881. If a Committee like this is appointed, it will interfere not only with the broad general framework of the scheme, but also with the day-to-day administration of Law and Order.—It will be a regular thorn in the side of the Home Member.

9882. Regarding Federation and Provincial Autonomy, am I right in concluding that you are prepared to vest the Governor-General in his discretion and the Governor-General in Council with powers which would bring about a certain amount of co-ordination among the units of the Federation?—Oh, yes.

9883. And that these bodies will have purely advisory powers?—Which bodies?

9884. Inter-Provincial Councils or inter-Provincial bodies will be established to serve as a clearing house for an exchange of plans and co-ordination of programmes.—Yes, they must be purely advisory.

9885. Lastly, Sir Mohammed, could you tell me what the view of the Muslim community is regarding the representation of Muslims in the Federal Legislature?—*Sir Mohammed Yakub*: My Lord Chairman, that is a most important question, from the point of view of the Musalmans. All that the Indian Musalmans want is fair treatment and bare justice. They do not want to be

given a share in the administration for which they are not fully equipped. They do not want to be placed in charge of difficult and delicate offices, if they are not thoroughly qualified for them. The Muslims' claim is not for spoon-feeding, but for not being kept out on the ground that they are Musalmans. The strained relations between the Hindu and the Muslim communities in no small measure arise out of a desire of the young men of each community to secure Government posts. Partly owing to the greater economic pressure to which they are subject, and partly in consequence of their past history and traditions, this desire amongst the Musalmans is a matter of life and death for my community. The paucity of careers for educated Indians has hastened the trouble. It follows that we Indians want to avoid jealousies, intrigues and incessant friction, and an effort should be made to define each community's share in public services. The number of posts going to the Musalmans will obviously vary from Province to Province; and it seems that in the absence of a more workable basis, we might fix it at the figure assigned to each community for the purposes of representation. It is obvious that the population basis, in this connection, would be highly unsatisfactory and misleading.

9885A. Mr. Yusuf Ali, could you supplement this reply by your own experience?—*Mr. Yusuf Ali*: I think so.

9886. What would be the view of the Conference on this point?—I think the Conference strongly supports the principle that in the Services the Muslims should be represented roughly in the same proportion as they would be represented in the legislative bodies.

*Lord Irwin*

9887. You would say, I suppose, that the Muslims should only get posts if they were qualified and efficient.—Absolutely, otherwise it would destroy the Services.—*Dr. Shujauddin*: All we want is that a Muslim should not be kept out of office simply because he is a Muslim.

*Lord Eustace Percy*

9888. Are these proportions between the communities for posts which are filled by examination by the Public Service

Officers [*sic*] to be forced upon the Muslims, apart from the results of the examination?—*Mr. Yusuf Ali*: Of course, that raises a very difficult question. You see, already the Government of India have accepted the principle that, because of certain conditions in the past, the Muslims have been so kept back that even after the testing of a competitive examination, a certain amount of weightage should be given to the minority communities, including the Muslim and the Sikh. I think, temporarily, we should have to retain part of that weightage; but, ultimately, I quite agree that when all the communities begin working together, that crutch, as I may call it, may be unnecessary; but in matters where the selection is made at the discretion of officers, we find a tendency that where an office has a large number of Hindus, the Muslims are not taken, and that can only be remedied by fixing a definite proportion to work up to.

*Earl Peel*

9889. Would that system of proportion apply in the higher ranks in the Services—the higher steps in the Services—as well as to the intake from outside?—I think the higher ranks would naturally follow, if you get the inflow from the bottom.

9890. You would, therefore, not lay down any set of proportions for the higher ranks.—*Sir Mohammed Yakub*: There must be proportions of all grades and Services from the bottom to the top. Our experience shows that even in the matter of propotions and selections for higher grades, Musalmans have not been properly treated.

*Mr. M. R. Jayakar*

9891. Even in the case of offices like that of High Court Judge or High Court Chief Justice, would you make a similar formula applicable?—If a Musalman is available who is efficient, I think the same formula would apply to any post.

9892. Subject to efficiency?—Subject to efficiency. The Musalmans of Madras have been clamouring that there has not been a single Muslim Judge of the High Court in Madras since our friend, Sir Abdur Rahim, relinquished his office about twenty years ago. Can you imagine that in a Province like Madras no

Musalman would be available who is capable of being made a Judge of the High Court?

*Sir A. P. Patro*

9893. Unfortunately, it has been so in Madras.—You could import Musalmans from other Provinces, as they have imported them from Punjab into the United Provinces.

*Dr. Shafa'at Ahmad Khan*

9894. I think your point is this, that the reservation of seats for minorities has not impaired the efficiency of the Service at all.—*Mr. Yusuf Ali*: Exactly.

9895. And that in making this demand you are not departing from the usage and the practice that prevails in almost every Provincial Government and also in the Government of India.—Quite so.

9896. And you are not violating the principle of the recommendations of the Services Sub-Committee at the Round Table Conference, which actually formulated the rule that there should be a fair and adequate proportion of minorities in the Public Service.—That is all we are contending for.

9897. You do not want anything more.—No; that is the principle for which we are contending.

*Lord Rankeillour*

9898. May I ask, would you make this fundamental in the Constitution Act?—I do not know whether it can be put in the Constitution Act; but we want it definitely to be mentioned, either in the Instrument of Instructions, or wherever it is found practicable.

9899. This is one of the things you would not allow to be altered in India.—I think there is the view that if it is not actually put in the Constitution Act, it might be difficult to work it. That has to be considered by the Committee and by those who hammer out the Constitution; but I think my friend, Sir Mohammed Yakub, distinctly represents that view.—*Sir Mohammed Yakub*: My own opinion in this connection is, I would submit, that the guarantees as regards the Services must be by Statute. Sir Samuel

Hoare's evidence before the Joint Select Committee makes it quite clear: "that nothing can be inserted in the Instructions that is not within the framework of the Act"; and, as Lord Reading observed, "although Letters of Instruction might be referred to by a Court of Law in trying to construe what was intended, it did not affect the position. No rights of the subject were founded upon it that could be dealt with by a Court of Law. The rights to be constructed by the Court were the rights which were prescribed within the Statute itself and could not travel outside." Therefore, a mere mention in the Letters of Instruction will not do. It is therefore very necessary that the safeguards as regards the proportion of the Services for the Musalmans must be by Statute. I do not want to say that the whole detail should come in the Act; but there must be such mention in the Statute as would make it possible to elaborate it in the Instructions.

*Sir Henry Gidney*

9900. My Lord Chairman, may I interpose for a second? Sir Mohammed Yakub, is it, or it is not, a fact that the prevailing practice in all Services, especially those that are under the control of the Public Services Commission today, is regulated in the following manner: Two-thirds of the appointments are given in order of merit by competition, and one-third by nomination to adjust communal inequalities?—That is so, and this formula has done very great harm to the Musalmans. A big majority of the Musalmans have been placed in the same category as a small minority, say, of Sikhs, or of the Anglo-Indians or Indian Christians. If there are three vacancies, for instance, for the minor community, one goes to a Sikh, one goes to a Musalman and one goes to an Anglo-Indian, which means that the Musalmans, who form a very big minority in the country, are placed in the category of a very small minority; and, therefore, we want that for the Musalmans there must be a special share chalked out.

9901. In practice, does it mean this to day, that the sixty-six and-two-thirds appointments invariably go—I am talking with all kindness—to Hindus, and the one-third remaining by nomination is divided amongst all the minorities of India?—Yes, that is so.

*Sir Phiroze Sethna*: Except Parsees.

*Sir Henry Gidney*: Parsees too.

*Lord Eustace Percy*: They always get it in the first two-thirds.

*Sir Phiroze Sethna*: If they can.

*Sir Henry Gidney*

9902. Then you really think that the one-third is not enough for all the minorities, in whom the Musalmans are included.—No, that would not be just, especially to the Musalmans, who are a very big minority. It would not be right to place the Musalmans in the same category as the small minorities, some of whom are confined only to one Province, such as the Sikhs, who are confined only to the Province of the Punjab.

9903. Your Memorandum suggests that this proportion should be the same as in the political representation in the various Legislatures.— Quite so.

9904. Going a little further, am I right in saying that—for instance, we will take the Central Legislature, under which all the Federal subjects are controlled, and All-India Services—that would mean that the Musalmans, who have 33⅓ per cent of the representation, would get 33⅓ of the appointments?—That is what we submit.

9905. Then that leaves two other communities, broadly speaking, to be provided for: one would be the Hindus, in which are included all the Sikhs, and the other would be the Anglo-Indians and Europeans. Would you then agree to something like this: you have your political representation in the Central Legislature, as I have just said, and, with 33⅓ per cent representation, you would award 33⅓ per cent of the appointments?—That is so.

9906. Then if you would clump the Anglo-Indians and Europeans together, they would have about 10 per cent of that representation. Is that so, it comes to that?—Yes.

9907. And that would leave 66⅔ per cent [*sic*] for the Hindus?—That is so.

9908. Do you think that would be fair, and would you accept that as a Hindu community?—Certainly, in All-India Services.

9909. Do I follow that you want this mainly in the subordinate appointments in which you and the other minorities are generally concerned, or do you want it in all the appointments?—In all the appointments I want it.

*Mr. M. R. Jayakar*: May I ask, what chaos and confusion and destruction of efficiency that would mean if every minority were to be guaranteed a certain percentage of Public Services on *a priori* grounds?

*Sir Manubhai N. Mehta*: May I ask if the Witness is also prepared to advocate communal examinations—separate examinations for different communities?

*Sir Hari Singh Gour*: And different standards?

*Mr. Butler*: May I recall the Services' Sub-Committee of the First Round Table Conference, which made a suggestion somewhat differing from this? If it would help the Committee, I would read the relevant portion.

*Chairman*: If you please.

*Mr. Butler*

9910. "Recruitment to the Public Services shall be made through such Commissions in such a way as to secure a fair and adequate representation to the various communities consistently with considerations of efficiency and the possession of the necessary qualifications. This part of the duties of the Public Services Commissions shall be subject in the case of Provincial Commissions to periodical review by the Governor, and in the case of the Central Commission by the Governor-General, both of whom shall be empowered to issue any necessary instructions to secure the desired result" and so forth.—*Mr. Yusuf Ali*: My Lord Chairman, that seems a fairly satisfactory way of putting it, except that it does not say what a fair and adequate distribution would be. All we want to do is to indicate the proportion.

*Lord Eustace Percy*: May I venture to point out to the Committee, on the examination that has taken place, that $33\frac{1}{3}$ plus 10, plus $66\frac{2}{3}$ comes to more than 100?

*Sir Henry Gidney*: I meant $56\frac{2}{3}$.

*Lord Eustace Percy*: In fact, the proposal is that very nearly 50 per cent of the appointments by the Public Service Commission shall be made otherwise than by examination.

*Dr. Shafa'at Ahmad Khan*

9911. Is it your proposal that appointments to public posts should be made otherwise than by examination?—No.

9912. You agree that there should be a minimum qualification for every candidate.—That is so.

*Lord Eustace Percy*

9913. Otherwise, by competitive examination?—Yes.

*Dr. Shafa'at Ahmad Khan*

9914. Even now, at the present time, in the competitive examination for the United Provinces Executive Civil Services, the seats for Muslims and Hindus are reserved.—*Sir Mohammed Yakub*: That is so, my Lord, and I think that such a scheme can be worked in all the Provinces. We have got some such formula in Madras also, and it has been working very satisfactorily for many years. Some such formula can be framed in all the different Provinces, according to the conditions prevailing, and there can be no chaos and no difficulty about it.

*Chairman:* It appears to me that this matter has been sufficiently elucidated now.

*Mr. A. H. Ghuznavi*

9915. Mr. Suhrawardy, how long were you in the Bengal Legislative Council?—*Mr. Suhrawardy*: Since the beginning of the Reforms.

9916. The Reforms began in 1921.—Yes.

9917. Was there any communal party in the Bengal Legislative Council in the first period?—There never has been a communal party in the Bengal Legislative Council.

9918. In the second period, Mr. C. R. Das came to the Council, and he was the Leader of the Opposition.—He was.

9919. Did he not have Muslim members in his party?—He had 40 members in his party, of whom 22 were Musalmans, and 18 were Hindus.

9920. During that period also there was no communal party.—There was no communal party.

9921. Coming to the third period, has there been any communal party?—No, there has not been any communal party, as I have stated.

9922. And there is no communal party in the Bengal Legislative Council now.—No, not even now.

9923. And it has never been so.—Never.

9924. Even supposing that if [*sic*] the Muslims in Bengal had an absolute majority, which, of course, the White Paper does not provide, do you think that a purely Muslim Ministry could be formed?—I have given my opinion emphatically with regard to that: that that is a possibility that I cannot visualize.

9925. You are certain that that is absolutely impossible.—I am certain of it.

9926. What is the Muslim view with regard to the retention of the special constituencies?—The Musalmans in Bengal have always been against the retention of special constituencies, and their view has been that, except with regard to the European constituencies—I leave them out of account because they have large interests and their population is very small—and as between Hindus and Musalmans, that it is possible for the separate interests to be expressed by persons who will come in through the general electorate.

9927. One more question, Mr. Suhrawardy. I will refer you to Section XI of the Memorandum where you mention about the Services. I want you to give me an answer particularly affecting Bengal. There you have stated, "to ensure the due representation of Muslims, we urge that the proportion of Muslims in the Services should reflect their proportion of representation in the several Legislative bodies". I want you to give me an answer. What is the position of the Muslim representation in Bengal in the Services, and have you any list of the Bengal Services?—I have a list here, which shows the employment of Muslims in the Principal Services in the Bengal Presidency, as compared with members of other communities, and the Services given to Muslims are extremely inadequate.

*Mr. A. H. Ghuznavi*: Will you kindly hand it in?

*Sir Henry Gidney*

9928. What is the total number of the different important

posts?—There are 459 Europeans; 1,762 Hindus; 405 Muslims, of whom 224 are in the Bengal Civil Service and Bengal Junior Service; and others have 64, out of a total of 2,690.

*Chairman*

9929. To what period does that refer?—This was compiled some time in 1932.

*Sir Henry Gidney*

9930. What do you mean by 'others'?—Non-Hindus and non-Europeans, Anglo-Indians, Indian Christians, and so on. Those are in the Provincial Service.

*Chairman*: If any Member of the Committee or Delegates desire to cross-examine you upon that, it will be necessary, perhaps, that they should have more information as to what it contains.

*Sir N. N. Sircar*: I will ask for an opportunity to test these figures. I have had no notice of this.

*Mr. A. H. Ghuznavi*: I am prepared to put in the Bengal Civil List; the figures were taken from it.

*Chairman*

9931. Do these figures purport to be extracts from official returns?—Yes, my Lord, the Bengal Statistics.

9932. And nothing else?—And nothing else. May I point out one thing, my Lord Chairman, with regard to a suggestion that was thrown out as to the competitive examinations, that there are hundreds of thousands of appointments in which there are no competitive examinations held, and the question of competition does not enter, and yet Musalmans are excluded from those appointments, although there are competent persons available?

*Chairman*

9933. Do you desire that that Table should appear as part of the printed record?—If your Lordship pleases.

*Chairman*: Sir Nripendra Sircar, you might like to take

that and look at it now, if you want to cross-examine upon it. (The Table is handed to Sir N. Sircar.)

*Mr. A. H. Ghuznavi*: If my friend wants to compare it with the Bengal Civil List, I will pass it to him.

*Sir N. N. Sircar*: I have no objection to these figures; all I say is, I would like to check them.

(The following document is handed in:

Statement showing the employment of Muslims in the Principal Services in the Bengal Presidency as compared with members of other communities.)

| Name of Service | Europeans | Hindus | Muslims | Others | Total |
|---|---|---|---|---|---|
| (1) High Court Judges, permanent and additional | 9 | 7 | 1 | — | 17 |
| (2) Important appointments in the High Court .. | 9 | 19 | 2 | 2 | 32 |
| (3) District Officers, Additional District Magistrates and Joint Magistrates .. .. | 25 | 35 | 2 | — | 62 |
| (4) District and Sessions Juges .. .. | 21 | 41 | 6 | — | 68 |
| (5) Calcutta Small Cause Court Judges .. | 1 | 5 | 2 | — | 8 |
| (6) Bengal Civil Service (Judicial) including temporary Sub-Judges and Munsifs | — | 340 | 50 | — | 390 |
| (7) Indian Civil Service .. | 114 | 45 | 4 | — | 163 |
| (8) Bengal Civil Service and Bengal Junior Civil Service (Executive) .. | — | 533 | 224 | 20 | 777 |
| (9) Imperial Police Service | 77 | 13 | 10 | — | 100 |
| (10) Bengal Police Service and Inspectors of Police .. | — | 123 | 20 | 18 | 161 |
| (11) Calcutta Police, Assistant Commissioners and Inspectors .. .. | 33 | 27 | 9 | — | 69 |
| (12) Indian Service of Engineers .. .. | 21 | 20 | Nil | 1 | 42 |

(*Continued*)

| Name of Service | Europeans | Hindus | Muslims | Others | Total |
|---|---|---|---|---|---|
| (13) Bengal Engineering Service (Senior and Junior) | 1 | 144 | 8 | 1 | 154 |
| (14) Electrical Engineers and Subordinates, Consulting Architects, etc. .. | 11 | 19 | Nil | — | 30 |
| (15) Indian Educational Service .. .. | 15 | 10 | 1 | 2 | 28 |
| (16) Bengal Educational Service .. .. | — | 170 | 47 | 3 | 220 |
| (17) Indian Medical Service (including temporary Medical Officers and Military Assistant Surgeons) .. .. | 41 | 15 | Nil | — | 56 |
| (18) Directors and Assistant Directors of Public Health .. .. | 4 | 46 | 5 | — | 55 |
| (19) District Health Officers | — | 26 | Nil | — | 26 |
| (20) Indian Agricultural Service .. .. | 7 | — | Nil | — | 7 |
| (21) Bengal Agricultural Service .. .. | 2 | 21 | 2 | — | 25 |
| (22) Indian Forest Service | 16 | 6 | 1 | — | 23 |
| (23) Provincial Forest Service | — | 10 | 1 | — | 11 |
| (24) Indian Veterinary Service | 2 | — | Nil | — | 2 |
| (25) Bengal Veterinary Service | — | 7 | 3 | — | 10 |
| (26) Finance Service—Accountant-General, Deputy Accountants-General, Assistant Accountants-General, etc. .. | — | 16 | Nil | — | 16 |
| (27) Gardeners' Service .. | 10 | 4 | 1 | — | 15 |
| (28) Inspectors and Assistant Inspectors of Factories | 8 | 4 | Nil | — | 12 |
| (29) Income-Tax Commissioners and Assistant Commissioners .. | 2 | 3 | 1 | — | 6 |

*(Continued)*

| Name of Service | Europeans | Hindus | Muslims | Others | Total |
|---|---|---|---|---|---|
| (30) Meteorologist and Assistant Meteorologist .. | — | 5 | Nil | — | 5 |
| (31) Superintendents of Post Offices .. .. | — | 25 | 1 | 11 | 37 |
| (32) Customs Department, gazetted appointments | 16 | 10 | Nil | 2 | 28 |
| (33) Appraisers .. .. | 14 | 13 | 4 | 4 | 35 |
| Total .. | 459 | 1,762 | 405 | 64 | 2,690 |

*Sir Abdur Rahim*

9934. I want to know this, Mr. Yusuf Ali: So far as the proposal for Federation is concerned, what is the Mohammedan opinion in connection with the subjects which are purely British-Indian? Could they [*sic*] regard with favour the administration of these subjects being in the hands of the Federation as a whole, including State representatives?—*Mr. Yusuf Ali*: I said in the morning that it is a very real difficulty, and it was suggested that a convention might grow up by which the Indian States would not participate in purely British-Indian subjects. Is there anything more that I can add?

9935. No; I simply wanted to know what the Mohammedan opinion was, so far as you know, on this point.—I think that is the Muslim opinion.

9936. That they would not like the States' representatives who are not concerned with the affairs of British India.—'Would not like' is rather a strong term, because I think the Federation is coming, and it would be very difficult to exclude any consideration of British-Indian questions by the States' representatives; but, certainly, they would welcome any arrangements by which such intervention would be either prevented or minimized.

9937. Questions have been asked about the possibility of joint electorates. So far as Mohammedan opinion in India is

concerned, do you think that joint electorates is [*sic*] a practical question at the present moment?—Under present conditions, it is not at all practical.

9938. Of course, there are some individual Mohammedans who do favour joint electorates. Is that not so?—Oh yes, but only a small number.

9939. But the general Muslim opinion, as I understand you, is opposed to joint electorates.—That is so.—*Mr. Suhrawardy*: Overwhelmingly opposed.

9940. Now with regard to [the] Communal Decision, do you know that after it was announced by His Majesty's Government, very earnest attempts were made in India to substitute that Communal Decision by an agreed settlement among the Hindus and Muslims? *Mr. Yusuf Ali*: Yes, attempts were made, but they came to nothing.—*Sir Mohammed Yakub*: The general Muslim point of view was very much against those attempts.

9941. Suppossing that the communal decision was modified in any way, the result would be then, in the absence of agreement, that one community will be dissatified instead of another, or both communities will be dissatisfied.—*Mr. Yusuf Ali*: That is so. Of course, when you say 'in any way', speaking for the Musalmans, we are not concerned with anything that does not touch our own interests.

9942. I meant, so far as the Hindu-Muslim representation was concerned, that is the position.—That is so.—*Mr. Suhrawardy*: May I add to that this, that I am not certain whether the Hindu community is genuinely dissatisfied with the Premiers' decision? They certainly, on account of the Poona Pact position, have been trying to make some modifications; but I have here a certain document that was circulated, I think, by Sir Nripendra Sircar. At page 32, when he quotes a telegram sent by Mr. Dutt, who supports his point of view, I find there: "Premier's Award on this question is uttermost that Bengal can accept". That is to say, they did not want the Poona Pact to be modified, for they were against the Poona Pact. It would seem that, so far as the Bengali Hindus were concerned, they did accept the Premier's Award.

*Sir N. N. Sircar*

9943. The language is absolutely clear. It means, so far as

the Depressed Classes are concerned, they are willing to accept the Decision. It is nothing to do with the Mohammedans. You know very well that the next day there were articles in the papers and magazines objecting to the proportion of seats given to the Hindus.—There were also objections in the Muslim papers. —*Sir N. N. Sircar*: Certainly; but you are suggesting a grievance

*Sir Abdur Rahim*

9944. I want to know the Muslim feeling in Bengal with reference to this Communal Decision. Is it generally acceptable to the Muslim opinion in Bengal, in spite of the fact that their demand has not been fully satisfied?—I am afraid there has been considerable dissatisfaction; but we have stated that we are prepared to work the Constitution on the basis of the Decision, because we do not want this unfortunate controversy to be [*sic*] a tremendous amount of bitterness once more.

9945. As regards the Lucknow Pact, is it not the fact that the Mohammedan representative [*sic*] at Lucknow strongly protested at the time, and that the Mohammedans never accepted it in Bengal?—That is so. The Bengal Musalmans objected.

9946. I put it to you—you know the matter was actually debated in the Legislative Council—that one reason why Mr. C. R. Das had so many as 22 Mohammedan members in his party (the Swaraj Party) was that the Mohammedans were extremely dissatisfied with the Lucknow Pact.—They were. Yes, that was one of the reasons; and there was a further reason that Mr. C. R. Das proposed another Pact in the place of the Lucknow Pact. Generally speaking, the terms were of this nature, that as between the Hindu and Muslim minorities and majorities, the representation of minorities should always be effective and adequate, totally irrespective of the number within a constituency; and he suggested as a working formula that in all the constituencies the majority community should have 60 per cent, and the minority community should have 40 per cent. The constituencies in Bengal (the various local bodies, and so on) are more or less constituted in this manner, that in Eastern Bengal there is an overwhelming Muslim population and a small Hindu population, and *vice versa* in Western Bengal; and his suggestion therefore was that in those districts and in those local bodies where the Musalmans were

in an overwhelming majority, they should have 60 per cent and the Hindu 40 per cent, totally irrespective of the actual numbers; and the same in Western Bengal as between Hindus and Muslims, that in the Legislature the Muslim should have 60 per cent and the Hindus 40 per cent. This, I may point out, was accepted by the Musalmans; and at a very famous meeting of the Congress at Seraj Gunj, it was also accepted by the Hindus.

9947. Mr. C. R. Das was able to draw so many Mohammedans to his Party by another proposal: that was the proposal he made regarding recruitment to the Services in Bengal, and the proposal was regarding the representation he was willing to concede to the Mohammedans. Is not that so?—Yes.

9948. That was also a part of the Pact?—That was a part of his Pact, and in order to remedy the tremendous inequality, and what we may call the concentrated injustice of the past, he suggested very favourable terms to the Musalmans for future recruitment.

9949. Supposing the Congress decide to contest the next election after the Constitution Act comes into operation, what do you think will be their position in the Council so far as the Hindu element of the Council is concerned? I mean will they be able to form the majority?—The majority of the Hindus?

9950. Yes, that is what I mean.—So far as that is concerned, the Congress, whatever may be its influence and strength at the present moment, is the only political body among the Hindus that is functioning in Bengal (I may say amongst the caste Hindus, if I may put it so) and it is extremely likely that they will be able to return their own members.

*Mr. A. H. Ghuznavi*

9951. The Hindu Mahasabha has no influence in Bengal. —That is perfectly true, the Hindu Mahasabha has no influence in Bengal.

*Sir Abdur Rahim*

9952. Since the passing of the new Act, it has been under the control of the Congress party.—That is so.

9953. In the last election, what was the result?—The last

election was run on the joint electorate system with reservation of seats.

9954. But what is the position of the Congress party now?—The Congress party has always swept the polls.

9955. Even in the last election, they secured a majority.—Even in the last election.

9956. As regards non-Congress Hindus, have they ever been able to stand against the Congress in any of these elections either to the Council or to the Corporation?—Very, very rarely.

9957. I do not mean individuals; of course, individuals have got in.—Yes, but never as a party. Some individuals have got in.

9958. Supposing the proportion of Mohammedans as given by the Decision of the Government is reduced, and supposing the Congress consent, judging by past experience, is there not a chance or danger that a section of Mohammedan representatives may go over to the Congress?—I am afraid whether the Congress comes in or not, if the Communal Decision is disturbed—I do not wish to say it in any spirit of militancy, but if the Prime Minister's Decision in disturbed to our detriment, I am afraid that the Musalmans will lose very much of their faith in British justice.

*Mr. N. N. Sircar*

9959. If it is disturbed by giving you more?—Yes, then we shall have a higher regard for British justice than we possess at present.—*Mr. Abdullah Yusuf Ali*: My Lord Chairman, as you have admitted a statement of the Services with reference to Bengal, may I put in a printed Memorandum over the signature of certain Muslim members of the Legislative Assembly which gives you the figures for the Services as a whole, and the Muslim representation thereon.

*Chairman*

9960. I think it would be very much better, if those figures are desired, that you should put them in without any other matter. Subject to the views of the Committee, I am not prepared to admit a document of that kind at this stage.—You have admitted one statement.

9961. I admitted a document which I was told contained extracts from official returns, and nothing else.—This purports to be from official documents.

*Sir Austen Chamberlain*: If I may say so, there is a further difference. The first was a document given in evidence by the witness on his own responsibility.

*Lord Irwin*: In answer to a question.

*Sir Austen Chamberlain*: In answer to a question that was addressed to him. This is proposed to be put in evidence, as the evidence of somebody who is not before us. I think we decided at an earlier stage that we were not prepared to receive memoranda of that kind.

*Sir Abdur Rahim*: The India Office here will be able to supply us with these figures, because questions are often put in the Central Legislature regarding the figures of employment of different communities, and it is quite possible that the India Office will be able to supply us with the figures that are necessary.

*Chairman*

9962. Sir Abdur Rahim, you will remember the Secretary of State is returning to the Chair, and you can address your questions to him later in the year.—Amongst other signatories to this Memorandum is Sir Mohammed Yakub, who has given evidence about the Services.

*Sir Hari Singh Gour*: He has not been asked and has not replied to any questions.

*Chairman*: I hope very much the witness will accept the ruling without further comment.

*Sir Hari Singh Gour*

9963. Sir Abdur Rahim put a question to you just now, that the Muslim opinion is against joint electorates, and you said it was so. Is it not a fact that the Shiah Conference passed a resolution in favour of joint electorates?—The Shiahs are a very small proportion of Muslims, and therefore it does not affect the majority position.

9964. It is a fact that the Shiah Conference passed a resolution in favour of joint electorates.—I do not know about it.

9965. You did not hear about it.—I read something about it, but I am not precise as to the wording of that resolution.

*Mr. A. H. Ghuznavi*: Is not it a fact that at the Shiah Conference it was not passed unanimously?

*Sir Hari Singh Gour*

9966. What is the proportion of Shiahs to the rest of the Muslim community—is it not one-fourth?—I doubt it.—*Sir Mohammed Yakub*: The number of Shiahs present in the Conference was very small, and the Shiah Conference does not represent the general view of the Shiahs in India.—*Dr. Khalifa Shujauddin*: May I be permitted to add for the information of Sir Hari Singh Gour that even this Shiah Conference has a rival body among the Shiahs which passed a resolution in favour of separate electorates?

*Sir Hari Singh Gour*

9967. There is a rival body to yourselves, the National Muslim Conference.—*Mr. Abdullah Yusuf Ali*: But there are very few members of the Muslim community in it. *Dr. Khalifa Shujauddin*: I do not think in the whole country you would get more than 50.

9968. Is it not a fact that the Bengal Legislative Council passed a resolution in favour of joint electorates and several Muslims Members of the Bengal Legislative Council voted in favour of it?—*Mr. Abdullah Yusuf Ali*: Our arrangement is that I shall act as a general spokesman, but I can ask a Member for Bengal to speak specifically to Bengal questions.—*Mr. Suhrawardy*: In Bengal, as is very well known, under the Lucknow Pact, the Muslims are in a very small minority. There are 39, whereas the Hindus are 56 in number, with other seats as well. In this debate, the Government and, I think, the Europeans remained neutral, leaving the Hindus and Muslims to contest amongst themselves the question of joint electorates; and it was obvious that as the Hindus were in favour of joint electorates, the resolution was passed.

9969. May I ask the witness how many Muslims voted in favour of that resolution?—I cannot remember the figures, but I should think not more than six or seven.

*Sir N. N. Sircar*

9970. Seven.—Seven. There are three Congress people who have come in, and four persons who did not dare to stand as Congress candidates, but who camouflaged themselves and stood as candidates of the Bengal Presidency Muslim League. As a matter of fact, they were run by the Congress and are Congress Members; consequently they owe their allegiance to the Hindu section.

*Sir Hari Singh Gour*

9971. Various conferences of the women of India have passed resolutions in favour of joint electorates. Is it not so?—*Sir Mohammed Yakub*: Very few Muslim women have taken part in these conferences, and this view does not represent the view of the majority of Muslim women in India.

9972. Has there been any conference of Muslim women who have condemned joint electorates and have passed a resolution in favour of separate electorates?—*Dr. Shujauddin*: There is no political organization of Muslim women.

9973. Such organizations as exist have passed a resolution in favour of the joint electorates.—No.

*Sir Hari Singh Gour*: Such organizations which exist, in which the Muslim women are represented, have passed resolutions in favour of joint electorates.

*Begum Shah Nawaz*

9974. My Lord Chairman, may I ask a supplementary question to this: that in almost all these organizations where such resolutions have been carried, the Muslim women have made it quite clear that in the absence of a settlement between the two communities, the majority of Muslim women are not prepared to agree to a system of joint electorates?—That is so; that is conclusive.

*Sir Hari Singh Gour*

9975. We have had the women's evidence before the Sub-Committee, and what they have said is on record. We shall hear them again very shortly. Now, is it not a fact that the Hindu

communities are in favour of joint electorates?—*Mr. Yusuf Ali*: I believe so.—*Mr. Suhrawardy*: Do you speak for the Depressed Classes as well? I do not think that the Depressed Classes are in favour of joint electorates.

9976. They have accepted joint electorates and they have always stood for joint electorates.—*Mr. Yusuf Ali*: What is your further question?

9977. My further question is that you have, therefore, this fact that the Hindu community are in favour of the joint electorates, and are against separate electorates; and I take it from you that the bulk of the Muslim communities are opposed to joint electorates and in favour of separate electorates. Now whatever decision is given, whether in favour of joint electorates or in favour of separate electorates, one of the two communities must be displeased. Is it not so?—We can only speak for the Musalmans; we cannot speak about the Hindus.

9978. But the Hindus are satisfied [*sic*] with [the] Premier's Award, because it contravenes the principle of joint electorates.—That is a matter of argument.—*Mr. Suhrawardy*: More than that, may we add there are many statements by Hindu leaders who have accepted separate electorates from time to time?—*Dr. Shujauddin*: And may I add further, my Lord Chairman, that only recently an attempt was made in the Punjab to evolve a formula which might be acceptable to the Musalmans also, but a formula which would be based upon the principle of joint electorates; and after that formula was published in the Press, inviting public opinion, almost the entire body of the Sikh leaders and a large proportion of Hindu leaders rejected that formula and rejected the principle of joint electorates? I am talking of the Punjab.

9979. We are then confronted with this proposition: that the Communal Award has dissatisfied the Hindus and has partially satisfied the Musalmans; the Musalmans accept it. Now when you have got an Award which is not acceptable to the majority community, and is accepted, hesitatingly, we will say, by the minority community.—*Mr. Yusuf Ali*: Not hesitatingly.

9980. Has been accepted unhesitatingly by your community, how can you ensure the harmonious and peaceful working of the future Constitution when this bitterness will continue on

the part of the majority community, who, you admit, are superior to you in wealth and influence?—We do not admit that they are superior to us in any other thing.

9981. I never said 'any other thing'. I spoke of wealth and influence. How do you expect that the future Constitution will work?—We think that the very bitterness is the cause why communal electorates are necessary; and, if that is so, it is unreasonable that it should be opposed, and we think that when it gets into working order, the majority community, though they may not like it, will accept it.

9982. And you admit, Mr. Yusuf Ali, that the joint electorates or separate electorates are inconsistent with the principles of democracy.—*Sir Mohammed Yakub*: It is not, my Lord Chairman; we do not accept it.

9983. Because it creates...—*Mr. Yusuf Ali*: There are democracies and democracies. There is no such thing as an abstract democracy.—*Sir Mohammed Yakub*: May I be permitted to say that the principles of democracy as understood by Europe can never apply to India. The conditions prevailing in India are completely different from the conditions prevailing in any other part of the world; and, therefore, any Constitution which is drawn for India must be for India, and India alone, on principles devised for India, and India alone.—*Mr. Suhrawardy*: We do believe that separate electorates is [*sic*] the best method of representation. Far from being against democracy, it is the best method of representation, and, therefore, in consonance with democracy. —*Dr. Shujauddin*: May I make this remark? All the leaders of Indian nationalism so far have been the products of separate electorates. I instance Mr. C. R. Das, and all those gentlemen who were returned to the Councils on the ticket by separate electorates, and with regard to whom it cannot be said that they were not the best advocates of Indian nationalism, such as we understand it to be.

9984. I do not understand the relevancy of that remark.—It is not, therefore, correct to say that separate electorates are a negation of democracy.

9985. If there was a separate electorate, the best man of the Hindu community would be returned by the Hindus.—Why, therefore, should it not be assumed that the best man of the

Musalman community would also be returned by the Musalmans?

9986. What follows is that the bigots of both communities are likely to be returned and keep up their bigotry in the Legislative Council.—That has not been our experience so far.

9987. Now, you say that there should be no weightage given to the Indian States in the future Constitution.—*Mr. Yusuf Ali*: Yes.

9988. On what ground would you give no weightage to the Indian States?—I think we have given the grounds: because, as I stated in the morning, the entry of the States into such a Federation itself creates so many difficulties that the giving of weightage will add to the complications.

9989. Your attention was not drawn to this aspect of the question. I find that from Appendix II, Clause 7: "No weightage or other discriminatory privileges should be given to the Indian States". Would you please explain the reasons for these views.—I will explain them again, if you wish. The Indian States come in for certain reasons; but they add enormously to an already very complicated problem. The majority of the subjects of the Indian States are Hindus, and their coming in will already weight the whole question against us. If they are given further weightage, the weightage will be double, as far as we are concerned.

9990. Therefore, you do not wish to give the Indian States weightage, because you think it would prejudice Muslim representation in the Central Legislature.—Partly, yes.

9991. Now, you say there should be a convention under which the Indian States' representatives should not vote upon questions dealing with purely British-Indian administration.—We did not say so. The suggestion was put forward, and we are prepared to accept that, as far as it will go. We doubt whether it will work.

9992. I doubt it, too; therefore, we are at one on that subject. Now, as regards the election, direct or indirect, to the Federal Assembly, questions have been put to you whether the representatives to the Federal Assembly, and to the present Legislative Assembly, by direct elections are in any contact with the electorates, and whether, in view of the large dimensions of the constituencies in the future, there is likely to be any contact bet-

ween the Members and their voters. I put it to you: Is it not better that such contact as is possible between the Member and his voters is preferable to no contact at all?—Of course.

9993. Which would be the case if the Members were returned through the medium of the Provincial Councils?—Just so, because that will produce the contact with the Provincial Councils only.

9994. Not with the voters?—Not with the voters.

*Mr. M. R. Jayakar*

9995. Mr. Yusuf Ali, do you share the apprehensions of a certain section of people in this country that, because of communal difficulties of India, it would be unsafe to give to India a large share of responsible government?—*Mr. Yusuf Ali*: No.

9996. You think that that responsibility is a cure against communalism.—I think it will tend to diminish communalism.

9997. And you entertain a very great hope that, in spite of communal electorates, in course of time responsible government will work in a spirit of nationalism.—Certainly.

9998. Will you kindly turn to paragraph XI of your Memorandum? You there ask that future recruitment of the All-India Services should be placed in the hands of the Provinces, and I suppose you want control also for the future.—Yes, All-India Services which serve in the Provinces.

9999. I am speaking of those which serve in the Provinces. —Yes.

10,000. You desire to have control and recruitment of those Services.—In the Provinces.

10,001. Do you think that Provincial autonomy will work smoothly if this control is not placed in the hands of Provincial Governments?—No.

10,002. It would be a travesty?—It would.

*Sir N. N. Sircar*

10,003. My Lord Chairman, I do not propose to put any questions about joint electorates and separate electorates to the witnesses. Many questions have been put already. I would like to ask Mr. Suhrawardy about this statement in paragraph

VII (a): "the well-recognized principle that no majority should be reduced to the position of a minority, or even to that of equality, has been departed from in the case of Bengal". I will put some facts to you. I will read to you an answer given by the Secretary of State, Sir Samuel Hoare, to Question 7,467: "Is it the fact that if the 199 ordinary seats, those of the seats which are to be divided between the general and the Muslims" (which practically means the Hindus and the Muslims) "are divided according to the ratio of the adult population which I have quoted to you, that then the result would be 103 Muslim seats and 96 general seats?— If they were divided in accordance with the adult population figure did you say? — Yes.— 103 and 96; I think that is so.—If they are divided according to the total population ratio, which your officers have agreed is 54.9 to 48, then there should be 109 Muslim seats and 90 general seats.— Yes. — What has been awarded is 119 plus such seats as they can get out of the 20 special seats." Now, what I am asking you is this: to let the Committee have a clear idea of these figures; they are not very complicated. The Bengal Legislature, according to the White Paper proposals, consists of 250 members; is that not so?—*Mr. Suhrawardy*: Yes.

10,004. Out of that number, 31 cannot be touched either by Hindus or by Mohammedans: 25 Europeans; 4 Anglo-Indians, and 2 Indian Christians.—Yes.

10,005. That leaves 219 seats altogether which can possibly be divided between the Hindus and Mohammedans.—Yes.

10,006. Of the 219 seats, 20 are what are called special seats, to which the Mohammedan Delegation has objection, and 199 are ordinary seats.—Yes.

10,007. So far, you will agree that between the Hindus and the Mohammedans what can possibly be divided is 199 ordinary seats and 20 general [*sic*] seats.—Yes.

10,008. And you have seen the result of the calculation given by Sir Samuel Hoare.—It is a fallacy.

10,009. What is the fallacy?—The fallacy is that you should [*sic*] have calculated on 199 and not on 219.

10,010. I am now assuming that you want your 52 per cent or 54 per cent, or whatever it is, of the 20 special seats.—No.

10,011. 219 is made up of 199 plus 20.—Yes.

10,012. Now, suppose you were dividing the 219 seats, even the special seats are going to be communally divided—what will be the figures according to both ratios? I have done it myself several times.—Perhaps you will give me the figures.

10,013. The first is very easy. If you take the total population basis, including the babies, that would be 119.—How many are you giving the Hindus? 54.8 to the Musalmans and how much to the Hindus?

10,014. 54.8 to the Musalmans.—It is 44.8, or even less I think.

10,015. No. You have been misled by Mr. Ghuznavi. You have got to add there the others.—No; the others are Indian Christians.

10,016. Take the figures given by Sir Samuel Hoare a few days ago in his examination.—May I know if in 'others' Europeans and Indian Christians are included?

10,017. No; 'others' means other than Hindus—Jains, Bhuddists, Sikhs and so on.—I do not know that Jains have any separate outlook.

10,018. That is beside the point. I am not asking you to say whether they have the same outlook.—*Mr. Abdullah Yusuf Ali*: Will you not put forward your suggestion? May I ask for the question?

*Sir N. N. Sircar*: We are now dividing 219 seats, and for the sake of argument, I am conceding that even the special seats have to be communally divided. If you divide 219 seats, first of all, taking the adult population basis, 52 to 48.

*Dr. Shafa'at Ahmad Khan*: The adult population basis?

*Sir N. N. Sircar*

10,019. Yes.—*Mr. H. S. Suhrawardy*: I think it is rather academic, because I do not know whether in any Province calculations have been made on the adult population basis—in any Province, either the seven Hindu Provinces or the four Muslim Provinces.

10,020. It has not been done?—No.

10,021. Will you now calculate on the total population basis, including the babies?—54.8, 44.2 [*sic*]?

10,022. May I put the question in this form? I am putting it to you that, supposing even the special seats are taken into consideration and divided according to what you suggest is the proper way, namely, the total population basis—do not go into decimals and things of that kind; take it at 55, 45 and so on—you have 10 seats more than you ought to have.—Before I answer that, I should certainly like to say that I have never suggested that that is the proper way; but you have asked me to divide it in that manner, and if you divide it in that manner, I suggest that there would be 120 Muslim seats possible.

10,023. Very well; it would be so. I do not expect you to agree to the suggestion that that is the proper basis; but may I just read to you from Command Paper 3712, 'Despatches from Provincial Governments in India containing Proposals for Constitutional Reform'?—*Mr. Abdullah Yusuf Ali*: We should like to know the precise question now, so that we can answer it.

10,024. The precise question is that 10 seats more have been given to the Muslims if this method of calculation is right.—That is not so; even on that basis, it is not so. Ten seats have not been given. If you have 54.8, 120 seats will be the quota of the Muslims.

10,025. You are dividing 219 seats.—I am dividing 219 seats, and in that case 120 seats will be the Muslim quota.

10,026. I have to take your answer, but that is not so. You are dividing 219 seats.—55 per cent of 219 is 120.4.

10,027. Are you aware that when this dispute was going on, the European members of the Government of Bengal stated that the fair way of dividing is to divide the ordinary seats according to population basis. I will not go into the question whether it is the adult population or total population. Are you aware of that?—In the Council or in the Cabinet?

10,028. In the Despatch from the Government of Bengal, on the Satutory Commission, page 59.—Including the special constituencies?

10,029. Yes.—If they have done so, they have done a grievous injustice to the Muslims.

10,030. Are you aware of that?—No.

10,031. Are you aware that this volume publishes a note by the Mohammedan Members of the Government which

begins at page 78? They also suggest that inasmuch as the special seats are likely to be mostly captured by the Hindus, the ordinary seats should be divided according to population basis.—Even that I am not aware of.

10,032. I want to to ask one more question. You know the Communal Decision provides—I am giving it in my own language—that there will be no change after 10 years unless the parties affected by it agree to a change.—Yes.

10,033. Is not that so?—Yes.

10,034. Unless you, I mean the Muslim community, are prepared to give up the special electorate and the seats which they have obtained, is there any possibility of getting any majority by the combination of all other interests in the Council?—We have not an absolute majority in the Bengal Council, and therefore all the other parties combined together can defeat the Muslim group, should the Musalmans ever act as a body.

10,035. May I have your opinion as to what you suggest is the proper method of finding out whether the parties are agreed upon a change or not?—We hope that in 10 years time there will be a sufficient growth of the political party system by which means you will be able to find out the views of the various parties and the various groups, and you could then have all-parties conferences, and try to ascertain what are the views of the community.

10,036. You do not want anything to be put down in the Constitution as to how the change is going to be made.—It is very difficult for me to suggest any such thing. I have not considered it.

10,037. I am suggesting to you that in Bengal, although it is purported to be a temporary measure made for 10 years, by reason of this Clause, this will be perpetuated. You have a majority, 119 plus a certain number in a House of 250.—I am sorry, but you are visualizing continuously the perpetuation of communal groups, and I do not visualize that at all. I think that it is quite possible within the next 10 years, and if not 10 years, within the next 20 years, there will be sufficient national consciousness to make a radical change in the proportions.

10,038. I submit that that is no answer to my question. If the parties agree, it is quite all right; but if they do not agree,

10,022. May I put the question in this form? I am putting it to you that, supposing even the special seats are taken into consideration and divided according to what you suggest is the proper way, namely, the total population basis—do not go into decimals and things of that kind; take it at 55, 45 and so on—you have 10 seats more than you ought to have.—Before I answer that, I should certainly like to say that I have never suggested that that is the proper way; but you have asked me to divide it in that manner, and if you divide it in that manner, I suggest that there would be 120 Muslim seats possible.

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10,027. Are you aware that when this dispute was going on, the European members of the Government of Bengal stated that the fair way of dividing is to divide the ordinary seats according to population basis. I will not go into the question whether it is the adult population or total population. Are you aware of that?—In the Council or in the Cabinet?

10,028. In the Despatch from the Government of Bengal, on the Satutory Commission, page 59.—Including the special constituencies?

10,029. Yes.—If they have done so, they have done a grievous injustice to the Muslims.

10,030. Are you aware of that?—No.

10,031. Are you aware that this volume publishes a note by the Mohammedan Members of the Government which

begins at page 78? They also suggest that inasmuch as the special seats are likely to be mostly captured by the Hindus, the ordinary seats should be divided according to population basis.—Even that I am not aware of.

10,032. I want to to ask one more question. You know the Communal Decision provides—I am giving it in my own language—that there will be no change after 10 years unless the parties affected by it agree to a change.—Yes.

10,033. Is not that so?—Yes.

10,034. Unless you, I mean the Muslim community, are prepared to give up the special electorate and the seats which they have obtained, is there any possibility of getting any majority by the combination of all other interests in the Council?—We have not an absolute majority in the Bengal Council, and therefore all the other parties combined together can defeat the Muslim group, should the Musalmans ever act as a body.

10,035. May I have your opinion as to what you suggest is the proper method of finding out whether the parties are agreed upon a change or not?—We hope that in 10 years time there will be a sufficient growth of the political party system by which means you will be able to find out the views of the various parties and the various groups, and you could then have all-parties conferences, and try to ascertain what are the views of the community.

10,036. You do not want anything to be put down in the Constitution as to how the change is going to be made.—It is very difficult for me to suggest any such thing. I have not considered it.

10,037. I am suggesting to you that in Bengal, although it is purported to be a temporary measure made for 10 years, by reason of this Clause, this will be perpetuated. You have a majority, 119 plus a certain number in a House of 250.—I am sorry, but you are visualizing continuously the perpetuation of communal groups, and I do not visualize that at all. I think that it is quite possible within the next 10 years, and if not 10 years, within the next 20 years, there will be sufficient national consciousness to make a radical change in the proportions.

10,038. I submit that that is no answer to my question. If the parties agree, it is quite all right; but if they do not agree,

as the Provincial Legislative Council of Bengal is constituted, it would be impossible for the Hindus to get any change.—Very well; if they do not agree, there will be no change; but there is no reason why they should not agree.

*Sir N. N. Sircar*

10,039. You suggested that there are no communal parties in Bengal and the Mohammedans are voting with the Bengal Councillors. Is not that so?—Yes.

10,040. There were three occasions when a deadlock was created by Mr. C. R. Das getting the salary of the Minister turned down.—Yes.

10,041. And they got the support of some of the Mohammedans, or substantial help from the Mohammedans for that vote.—Yes. I may add to that that one of those cases was when both the Ministers happened to be Muslims.

10,042. True, and the motion was moved by a Mohammedan Member.—Yes.

10,043. From that you infer that the Hindus and the Mohammedans are acting together.—Yes.

10,044. And that there are no communal rights; but it was one of those occasions when the Hindus and a section of the Mohammedans were acting together for the purpose of creating a deadlock.—They were voting together on all matters, not merely on the Ministerial matter, not merely on the question of a vote of censure against the Minister, but on all matters they were voting together.

10,045. Will you give me an idea of what you mean by 'on all matters they were voting together'?—Whenever they were voting, they were voting as a political party.

10,046. I am suggesting to you—and I will not press you further—that Mr. C. R. Das had got hold of a body of Mohammedan members, and they had the mind of always acting together for putting difficulties in the way of the Government and creating a deadlock, and they did not act together for any other purpose.—That is not so. They acted as a political party throughout.

10,047. Will you give the Committee one instance of any measure in which the Congress party, led by Mr. C. R. Das, and the Mohammedans were acting together, apart from creating difficulties in the way of the Government, creating deadlock, and so on?—If you look at the proceedings of that period, you will so find.

10,048. Can you give me an instance?—This was the ordinary work of the Council. There are resolutions, there are Bills, and there is the Budget Debate, and in all these they acted together.

10,049. For instance, when Mr. C. R. Das was there, was it cut down to zero? Then they were acting together. I would not press it further, you cannot give the Committee one instance where the Hindus and the Muslims were acting together for any good purpose.—Whether you call it good purpose or bad purpose...

*Sir Austen Chamberlain*: What conclusion, I wonder, does Sir Nripendra Sircar wish us to draw from that in relation to the new Constitution of India?—*Sir N. N. Sircar*: I wish to controvert the statement that the combination has not been run on communal lines.

*Sir Austen Chamberlain*: Are we to infer that they will always act on communal lines under the new Constitution, except when both Hindus and Musalmans want to break down the Government? Is that the inference?

*Sir N. N. Sircar*: I am suggesting that my friend is rather optimistic; that it is not a correct statement that the Governments are not run on communal lines.

*Mr. Foot*: Is it necessary always by examination to check by question a statement with which we disagree? Is that the purpose of our questions?

*Sir N. N. Sircar*

10,050. No. I said I would leave him there, if he cannot give me an instance.—*Suhrawardy*: I have definitely pointed out that they have voted all along, when that party existed, on all matters.

*Sir N. N. Sircar*: My Lord Chairman, I have no further questions to ask.

*Sir H. Gidney*

10,051. My Lord Chairman, before I ask any questions, with your permission, may I correct two errors into which I fell this morning? One was with regard to the advertisement in *The Times* concerning the I.M.S. I thought that Mr. Yusuf Ali was referring to *Times of India*; I did not think he meant the London *Times*. The other was when I said $66\frac{2}{3}$ per cent. As Lord Eustace corrected me, I meant $56\frac{2}{3}$ per cent. Sir Mohammed Yakub, regarding the recruitment into the Services, would I be right if I said that at present one-third of the nominated seats for all open competitive examinations are selected only from those who have passed the examinations?—*Sir Mohammad Yakub*: That is so, my Lord.

10,052. In other words, they have proved that they are efficient.—That is so.

10,053. But they have not come within the allotted number by merit of two-thirds.—That is so.

10,054. The Government has tried to remedy this lately by appointing more members of certain minority communities.—I am not sure about it. On certain occasions, they have done so.

10,055. Mr. Suhrawardy, are you aware of an Order of the recruitment rules for the Bengal Services in 1928, in which the Government of Bengal ordered that there should be 46 per cent Muslims for the Bengal Civil Services?—*Mr. Suhrawardy*: There were certain orders to that effect, and there have been several circulars also issued by the Government of India, but our experience is that they are never acted upon.

10,056. That I was coming to. Do you complain that those Orders have not been fulfilled?—They are never fulfilled.

10,057. Could you tell us why they are not fulfilled?—I suppose there are always rules framed to circumvent those orders; somehow or other, we go round them. I have figures here which are most remarkable. For instance, figures have been checked with regard to Railways. I may point out to your Lordship that in the Railways, Muslims in the Gazetted appointment throughout India are only 3 per cent in number, and [in] the senior subordinate ranks, only 4 per cent; and within the last 10 years, when it is admitted that a very large number of competent

Muslims have come into the field who could hold posts, not only senior posts, but also junior posts of clerks, and so on, we have found that the percentage of Musalmans has actually decreased. We cannot make out why.

10,058. In spite of the circulars?—In spite of the circulars, and any number of regulations. The Muslim Members have put forward suggestions, from time to time, that there ought to be an inquiry into the matter, as to why, in spite of these Government circulars, Musalmans are not appointed, or how these circulars are circumvented, but the Government has not, as yet, made that inquiry. The only instance where an inquiry was ordered was with regard to the Railways, and most remarkable figures have been placed before the Committee.—*Sir Mohammad Yakub*: If I may say so my Lord Chairman, the reason why these orders of the Government are not given effect to, is that the Heads of the Departments, within whose power it is to give effect to these orders, are hostile to the Musalmans, and it is impossible for a Secretary of the Government, or a Member of the Executive Council, to look into the details of each and every appointment. It is left with the subordinate to carry out these orders; and those subordinates are hostile to the Muslims, and, therefore, no effect is given to those orders.—*Dr. Shujauddin*: May I be permitted to make just one statement on this point? And that is this, with regard to the objection that is often made, and with regard to the suggestions that were made also in this Committee today, that qualified Muslims are not available for all these posts, and that Muslims who have gone through the competitive examination do not come forward in sufficient numbers—this is the reason why they are not appointed. As a matter of fact, the Government of India some time ago appointed a special officer to go into the question of Railway Services; and, in his Report, this special officer stated that in one Division alone of the North-West Railway, there were sufficient qualified Muslims to hold the appointments in the whole of the Railway during three particular years.

*Sir Henry Gidney*

10,059. Sir Mohammed Yakub, would I be correct if I were to say that the present cry in India is more a Provincial cry: 'Bengal for Bengalis'; 'Punjab for the Punjabis', 'Bihar for

the Biharis'?—*Sir Mohammed Yakub*: To a very great extent.

10,060. Would you think it correct if I said that in these cries, which are decided by pacts between governments and the major communities, other minor communities, such as my own, are shown no consideration at all?—I must say all the minor communities have not so far.

*Mr. N. N. Joshi*

10,061. May I ask whether Sir Mohammed Yakub is talking of the Railway Services?—Yes.

10,062. And the communities do not get their share?—I would not say that the Anglo-Indians do not get their share in the Railway Services, but certainly their numbers have been falling down from what they were in past years. Whether they were getting more than their share or not, is not for me to say.

*Dr. Shafa'at Ahmad Khan*

10,063. You are not opposed to the retention of a reasonable proportion of Anglo-Indians in their present employments.—No, I am not.

*Sir Henry Gidney*

10,064. Are you aware of the fact that in the Postal Service of Bengal and Assam there are only 5 per cent Anglo-Indians employed?—About that, in the Postal Service.

*Sir A. P. Patro*: I think the Secretary of State is going to give evidence about the Postal Service and all that kind of thing later on. If we are going into the details of the Services, I submit it is quite irrelevant at the present moment.

*Sir Henry Gidney*

10,065. You do not know that, do you?—I do not know about the Anglo-Indians; but about the Muslims, I can say that in the Post and Telegraph Directorate in 1925 there was no Musalman; in 1927 there was one non-Musalman, and no Musalman. Superintendents [*sic*]: in 1925 no Musalman; in 1927, non-Musalmans 12, grand total 12. Assistants: 1 Musalman; 7 non-Musalmans; total 8; percentage 12.5.

Then Clerks: 15 Musalmans; non-Muslmans 58; a total of 73. That is in the Directorate of Posts and Telegraphs.

10,066. Owing to the great importance which you attach and other communities attach to adequate representation in the Services, are you aware of the present system that obtains in the Government of India and in the Provincial Governments?—Yes.

10,067. We have discussed the present system. You have suggested employment on a political ratio of representation in Councils. You have further said that efficiency is a *sine qua non* for all such appointments.—Yes.

10,068. Would you take this efficiency to mean today education in English?—Any standard of qualification that may be prescribed.

10,069. The appointments which you and other minority communities are concerned with are generally the subordinate appointments rising from about 30 to 250 rupees a month.—Not only the subordinate appointments, but all the appointments.

10,070. Would you consent to the Committee to take into consideration the efficiency test in English?—I am quite prepared that the Committee should do that.

10,071. Are you aware that, roughly speaking, there are hundreds of thousands of such appointments in the various governments?—There are.

10,072. Then the whole of India is not in open competition for those appointments.—There is none.

10,073. Only those are eligible who are educated up to about the secondary standard in English. Are you aware that the Census gives 2,000,000 people in India literate in English, of which, roughly, about 50 per cent are educated up to the secondary standard; in other words, about 1,000,000 people?—I have not gone through the figures.

10,074. Would you be prepared to accept that only those 1,000,000 people [are] in open competition for those hundreds of thousands of jobs, and not the whole population?—I think that competition is not the proper way of recruiting in all the Departments.

10,075. Sir Mohammed Yakub, you are an old Member of the Legislative Assembly. Would I be correct in saying that

the greatest difficulty which faces the Government today, and that will face all future Governments, will be the communal appointments in the various Services?—That is so.

10,076. Would I be correct if I said that if it were not for this grab for power, the Legislative Assembly would have very little work to do at question-time? Is that so?—I would not go to that extent; but I would certainly admit that a very large number of questions in the Assembly are put relating to the proper share of different communities in the Government Services. —*Mr. Suhrawardy*: We may add that much of the communal bitterness arises as to the appointments in the Services.

10,077. Would you agree with me if I said that a satisfactory solution to this important matter would lead to a much more harmonious relationship between the various communities?—*Sir Mohammed Yakub*: That is what I have said this afternoon in my statement.

10,078. Would you agree with me that one of the chief problems that will face the future Government is the settlement of the various communities' employment in the Services?—That is quite right.

10,079. Is it for that reason that you ask in your Memorandum that a Musalman member should be in every Cabinet?—To a very large extent.

10,080. Would you agree with me if I suggested one of the following so far as the All-India Services are concerned? Would you agree that to one of the Counsellors who would be given to the Viceroy should be given the portfolio of general protection and supervision of the minorities in India?—I do not know. So far, British officers have not succeeded in giving the Musalmans their just share in the Services.

10,081. Of course, you do not infer from that [that] a Britisher would always be a Counsellor?—It is very difficult for me to go into the details of any proposal, but what I suggest is that there must be a satisfactory method by which there will be a fair distribution of the Services amongst all the communities. I would not be prepared to accept any definite scheme just at this moment.

10,082. Would you accept the alternative that in every Cabinet one of the Ministers should represent or protect all

minority interests?—I have just given my answer, that it will be very difficult for me to commit myself to any scheme or to any proposal without going into its details and its implications, which I cannot do at the moment.

10,083. There is one more question. In paragraph XI of your Memorandum headed 'Services' you say, "We would call special attention to the wholly inadequate" etc., and then you say that the rights of the Muslim community should be heard through their own recognized Trades Unions and Associations. —*Mr. Yusuf Ali*: Yes.

10,084. Am I right or am I not right when I say that the reason for this request has risen from the refusal of the Government of India to recognize the Muslim Railway Association?—Quite right, that is so; and the Muslim Postal Association.

10,085. And you wish to impress upon the Committee that they should be the mouthpiece of the Muslims engaged in those Services?—*Mr. H. S. Suhrawardy*: We would point out, and we are very emphatic upon this, that without such recognition of communal employees unions, these various orders and circulars of the Government will continue to be circumvented and all the safeguards and figures which you may put down for these Services will come to nothing—there will be nobody to keep a watch upon them and see that they are properly carried out.

10,086. You are aware of the precarious position of the Anglo-Indian and domiciled European community in the Provinces and in the Government of India Services.—Quite right.

10,087. Would you, as representing your big and powerful community, the Muslim community, agree that adequate and statutory protection should be offered the Anglo-Indian community so as to ensure it taking as good a part in the future as it has done in the past?—*Sir Mohammed Yakub*: That is quite right. Musalmans do not want to do injustice to any community. In fact, Musalmans, being the largest of all the minority communities, should be protected adequately. Democracy means this, that all the minority communities have a fair share both in the Services and in the administration of the country; and unless all the minority communities have their share, it will be no democracy, but only predomination of one community.

*Marquess of Lothian*: Has not this question already been

made quite clear to the Committee five or six times?

*Lt-Col. Sir H. Gidney*: Might I go further and say it would not be predomination, nor would it be domination, nor would it be democracy; it would be hypocrisy?

*Sir Hubert Carr*

10,088. I have only one question on paragraph (b) under the head, 'No. XI—Provincial Legislatures', of your Memorandum. You say, "There should be no Upper Chamber in Bengal." Would you mind giving some reason for that?—*Mr. H. S. Suhrawardy*: There is really no necessity for an Upper Chamber, as all interests will be represented in the Lower Chamber. We feel that the result of the establishment of an Upper Chamber will be that there will not be any harmonious working of the Lower Chamber, and the various parties there will come into conflict with each other very rapidly. When you have a Lower Chamber without an Upper Chamber, all the parties there will realize that they have to work harmoniously with each other. Attempts will be made, therefore, in a spirit of compromise to work with each other; but if the Upper Chamber is constituted differently from the Lower Chamber, then the result of it will be that one or the other party that may have more influence in the Upper Chamber than the Lower will always look to the Upper Chamber for the purpose of fulfilling its own objects and its own desires, and will always, therefore, be a thorn in the side of the Lower Chamber; and if the Upper Chamber is merely a reflex of the Lower Chamber, then, of course, there is no necessity for it.

10,089. Would you agree that an Upper Chamber is able to extend protection to minorities?—No. There is no special reason why an Upper Chamber will be able to extend protection when a Lower Chamber will not be able to.

10,090. You will agree that most authorities give that as one of the purposes of an Upper Chamber.—Somehow or other there is an idea that the Upper Chamber is likely to be more sedate and more conservative.

10,091. And less communal.—Not necessarily.

10,092. Not necessarily?—No.

10,093. You feel that members with higher qualifications would not be those who would first lose the communal feelings

which you stated earlier you hoped to see gradually decrease.—No, I do not think so. On the other hand, I think that in the rough and tumble of the politics of a Lower Chamber, there is a greater likelihood of a compromise issuing.

*Mr. F. S. Cocks*

10,094. Later you say in your Memorandum that you want as many subjects as possible transferred to the Provinces. Will you look at Appendix VI, List 1, of the White Paper? Are you aware that as far as the first 48 items are concerned, it is contemplated that the Indian States will normally surrender their powers regarding those first 48 items?—*Mr. Abdullah Yusuf Ali*: Yes. The question is: will they. I do not know.

10,095. If we take it for the sake of argument that they [are] going to, you would not propose to transfer any of those items?—No; in matters in which the Indian States give us reciprocity, it is only fair that they should have a share in the regulation of those matters.

10,096. Referring to items 49 to 64, which of those do you suggest should be transferred to the Provinces?—As I said, I do not accept the dichotomy that you have proposed; but I think most of those items will naturally go to the Provinces, except Nos. 55, 56, 57, 58 and 59. I do not know that 60 need go to the Centre. I do not think that 61, zoological surveys, are of any political importance—63, certainly.

10,097. 63 will go to the Provinces?—63, certainly. We have said in our Memorandum that we want the regulation of justice to be in the hands of the Provinces rather than the Centre.

10,098. Apart from those five rather small items, do you think that all these points would go to the Provinces?—I think so. I should have to look at it very carefully before I made a very positive statement, but that is what roughly appears to me.

10,099. On page 119, List 3: 'Concurrent Questions'—how many of those items do you suggest should go to the Provinces?—It is the same thing. I should have to examine it very carefully.

10,100. These are concurrent subjects, and I want to know how many of these items you think should be transferred to the Provinces only.—In regard to concurrent subjects, I think mostly

those in which it is desirable that there should be a certain amount of uniformity and, therefore, regulative action; but as the Provinces have concurrent jurisdiction, I do not mind the Centre having jurisdiction to be exercised so that they could unify and co-ordinate.

10,101. It comes to this that a very large sphere of legislation there contemplated for the Central Legislature would be transferred under your proposals to the Provinces.—Yes; and the residuary powers. Those are most important, because we do not know what they are. They arise only through experience.

10,102. All those which are not specifically mentioned should go to the Provinces.—Yes.

10,103. Would not this facilitate any attempt in the future of the Provinces to split off from the Federation?—There is a danger of that in the whole scheme, but I do not think that this particular thing would make the danger worse.

10,104. You do not think that, if the Provinces have larger powers and the Central Legislature have smaller powers, it would strengthen the Provinces in any endeavour in that direction.—It will strengthen the position of the Provinces, but so long as we get the co-ordinating authority of the Governor-General at the Centre, I do not think the risk is any greater.

10,105. I think you said in an earlier part of the afternoon that as good Indians you would co-operate with your Hindu fellow citizens. May I take it from that that your ideal, for the future day, is that Indians will vote as Indians and not as communities?—Yes.

10,106. Is that your ideal?—Yes.

10,107. But as a matter of fact, in order to safeguard your rights, it is true, is it not, that it is the Muslim community which has insisted upon communal electorates?—That is right.

10,108. You regard that really as a regrettable necessity.—That is right.

10,109. In your Appendix you say that you are not in favour of any joint electorates till your rights are safeguarded. It is Appendix 1.—Our Appendix 1 is a resolution passed by the All Indian Muslim Conference, which stands.

10,110. I take it you stand by it.—Yes.

10,111. On the first page of the Appendix, it says: "And whereas as long as Musalmans are not satisfied that their rights and interests are adequately safeguarded in the Constitution, they will in no way consent to the establishment of joint electorates, whether with or without conditions."—That is right.

10,112. What do you mean by "satisfied that their rights and interests are adequately safeguarded"? How could they be safeguarded adequately in such a way that you would consent to the establishment of joint electorates?—It is a psychological question. When we feel confidence in each other, that is a bigger safeguard than any paper safeguards.

10,113. You are really thinking that in process of time things will so work, as you have suggested, that it will not be necessary to keep up this system.—That is right.

10,114. Why is it [that] you suggest that there should be communal electorates for the Council of State?—This has been specially insisted upon by the Muslim Conference because they feel that without it, under present conditions, they will not get representation by the sort of men they want.

10,115. At the present time, it is suggested that the Council should be elected by the single transferable vote—that is, really, proportional representation.—Yes. That may give us the numbers, although [even] that is slightly doubtful, but it will not give us the quality we want.

10,116. Will you explain why it will not?—Because naturally so long as the feelings between the Hindu and the Muslim communities are not friendly, or are strained, so long would the majority community tend to send [the] sort of men who would rather go with them, than with general feelings of the Muslim community.—*Mr. H. S. Suhrawardy*: In other words, for the same reason for which we want separate electorates in the direct election.—*Mr. Abdullah Yusuf Ali*: The same policy throughout.

10,117. You think they will elect somebody who is likely to sit on the fence.—Either that or worse than that: who would go with them rather than others.—*Mr. H. S. Suhrawardy*: We see no merits in the single transferable vote.

10,118. In Clause (c) you suggest that Muslim Chambers of Commerce, wherever existing, should select their members.—*Mr. Abdullah Yusuf Ali*: Yes.

10,119. Do you think that is necessary?—The same reason runs through it all. At present, whether in universities or in Chambers of Commerce or in Trades Unions, that communal cleavage comes in; and if we accept it in the general framework of the political machine, I think logically we ought to accept it in the various roots that feed it—otherwise what we want is not attained.

10,120. Do not the Chambers of Commerce, at any rate large ones, consist, as a rule, of Hindu business men?—That is so; but look at the British Chambers of Commerce: theoretically, they are open to Indians, and yet it is necessary to have Indian Chambers of Commerce. You just carry the principle a little further.—*Mr. H. S. Suhrawardy*: In Bengal, recently, the question of giving representation to a Muslim Chamber of Commerce was considered by the Delimitation Committee, and the Muslim Chamber of Commerce represented its case; and it was proved there, in the case of the other Chambers of Commerce, known as the Bengal National Chamber of Commerce, the Indian Chamber of Commerce, and so on, there were hardly any Muslim Members in them, that they could not influence the policy of the Chambers of Commerce in those bodies; and they considered it essential for their interests to have a Muslim Chamber of Commerce. I may state that so far as Bengal is concerned, the Muslim merchants form a very important section there, and have a very large volume of export and import trade in their hands. After considering it very carefully, the Delimitation Committee decided to give representation to the Muslim Chamber of Commerce.

10,121. Is it not better, though, in the business world, to encourage Muslims and Hindus to work together in the same Chamber of Commerce than to accentuate differences by having their own Chambers of Commerce?—*Mr. Abdullah Yusuf Ali*: Theoretically it would be better, but we are taking account of the feelings that actually exist.

10,122. You suggest that whenever the Muslims are in a minority, there should be one Muslim Minister.—That is right.

10,123. Would you also agree that where Hindus are in the minority, there should be a Hindu Minister?—Yes; I said that this morning.

10,124. In Bengal you have admitted that you will have a majority which is unaltered by appeals to the electorate.—No; we do not admit that at all. It is one of our grievances that we have no majority.

10,125. I thought you said that in actual practice you would have one.—*Mr. H. S. Suhrawardy*: The figures which have been given in regard to it, and which seem to give us an absolute majority, are incorrect. We do not expect that we shall ever be able to get as many from the special electorates as have been suggested that the Muslims would be able to capture.

10,126. You deny the assumption that there will be a Muslim majority in Bengal.—Yes; there will never be an absolute majority.

10,127. Not an absolute majority over all parties?—*Mr. Abdullah Yusuf Ali*: No.

10,128. I will not pursue that point.—*Mr. H. S. Suhrawardy*: On the White Paper as it is at present.

10,129. In your Memorandum, on the question of labour, you say you want labour to be effectively represented.—*Mr. Abdullah Yusuf Ali*: Yes.

10,130. Are you in favour of increasing the present representation allotted to labour on the Provincial Legislature?—Yes, provided it does not disturb the communal balance.

10,131. Could you do that by electing additional labour members and increasing the number of the Chambers?—Something of that kind could be done.

10,132. And in the Assembly also? What about the representation of labour on the Assembly?—Yes.

10,133. It has been suggested by a previous witness that it would be very difficult, if not impossible, for labour representatives to be elected on the Council of State. Would you care for any special representation of labour on the Council of State?—Not specially, because their representation in the Lower Chamber would give them political influence; but I would not object to their being sent also to the Council of State. I do not think it is specially necessary.

10,134. But if the Central Legislature is the body which will deal with labour questions, it is surely only right that labour

should be represented on that body. Do not you agree with that?—In the Upper Chamber?

10,135. Yes. They will deal with it as well as the Lower Chamber.—Why should the Upper Chamber deal more with labour questions than the Lower Chamber?

10,136. Not more, but the point was that there would be no labour representative on it as at present constituted.—We have no objection.

10,137. In paragraph IX you speak of special Muslim Trades Unions?—Yes.

10,138. Are you trying to form special Muslim Trades Unions apart from the general Trades Unions?—I am afraid force of circumstances has compelled some of the Muslims to make their own Trades Unions. I was asked specially to represent two of them, but the Committee decided not to call a witness for those Trades Unions. It is a very sad case. It shows how impossible it is, even in such simple matters as trade and commerce and labour, to get people to work together in the present attitude in India.

10,139. It was represented to us by a witness from Trades Unions—in fact, two or three witnesses—that in their Trades Unions they had no difficulty and that Hindus, Muslims and the Depressed Classes all worked side by side.—That is what they say, but we have found it different, and hence the necessity for forming our own Trades Unions—*Mr. H. S. Suhrawardy*: On the other hand, we have found that the general Trades Unions have definitely refused to put forward those demands which their Muslim members wanted them to put forward, or to look after the interests of the Muslim employees; and it is for that reason that the Muslims have formed their own Trades Unions which, unfortunately, have not been recognized by the Government.

10,140. Were they economic demands?—*Mr. Abdullah Yusuf Ali*: They were mainly demands for Services and so on. You know there are telegraphic unions, postal unions and things of that kind, and there is bad blood if people are recommended not on their merits but communally. That is the main reason why these very powerful bodies have arisen. I think the Government must recognize them at some time or other.

10,141. It is a question of promotion rather than a wage question.—*Mr. H. S. Suhrawardy*: Promotion and recruitment. —*Mr. Abdullah Yusuf Ali*: Those are economic questions, surely. They affect the members of the Trades Unions.

10,142. I want to ask you one or two questions on women's franchise. You say you object to women being given the vote in the right of their husbands.—Yes.

10,143. You say you object to it because you believe a woman should have the vote in her own right.—Yes.

10,144. You really take the extreme feminine point of view. —That is so.

10,145. From a practical point of view, that will lead to a reduction in the women's vote.—It will at present, but I do not think it need do so perpetually.

10,146. For example, you know the figures given in the Franchise Committee's Report.—Yes.

10,147. They say that in the United Provinces 414,000 women would have an independent property qualification, and 1,100,000 on their husbands' property qualification; leaving out overlapping, that would mean that with 1,500,000 total women's electorate, on that adjustment, 1,100,000 would be disqualified.—We must accept the figures as they are; but the remedy lies in some such alternative proposal as has been already discussed, such as the literacy qualification, or something of that kind.

10,148. The literacy qualification is given there; and in the United Provinces only 158,000 would pass that test.—That is so. But that is a thing which would change every year. It is changing already.

10,149. What I mean is this, that the literacy test in point of numbers would not counterbalance those swept away because of the loss of the husband's property qualification.—Not straight away, but every year the position would be better. It is a great deal better now than it was three or four years ago.

10,150. If a man has a vote because he has property, why should not a woman have a vote because she has a husband.—Because her husband is not property, I respectfully submit.

10,151. You are aware that under the White Paper proposals, as far as Provincial voting is concerned, it is estimated

by the White Paper that one in seven women will get the vote—the proportion between men and women will be one in seven; but most of the lady representatives who have given evidence before sub-committees say that that is altogether optimistic, and the proportion should really be 1 in 16.—I have no more to offer on that subject; but I think it is a radically wrong view to take that you must arrange your electorate so that a certain proportion should come in. I do not agree with that at all.

10,152. It is generally recognized that the women's vote in the Assembly would be 1 to 20.—I doubt that very much. I do not think it will be quite as low as that; but still, as I said, I do not accept that principle of fixing the franchise according to the number of people you get in.

10,153. You think that is an irrelevant consideration.—Yes.

10,154. Do you disagree with the Prime Minister when he wrote to the Franchise Committee and said, "His Majesty's Government attach special importance to the question of securing a more adequate enfranchisement of women than the existing system, which applies to women the same qualification as to men, and has produced a women's electorate numbering less than one-twentieth of the total male electorate."?—It is difficult to answer that question put in that way; but I certainly think that some of the implications in it are not those with which I would agree. I want the women to come in more and more; but I want them to come in naturally with the improvement of their social status, with the improvement of their education, and so on; I do not want to force.—*Mr. H. S. Suhrawardy*: As they have come in here.—*Mr. Abdullah Yusuf Ali*: Yes, as is the case in England.

10,155. Do you agree or disagree with the Franchise Sub-Committee of the Round Table Conference when it said that "No system of franchise can be considered satisfactory or as likely to lead to good Government where such a great disparity exists between the voting strength of the two sexes."?—I agree to that as an abstract proposition, but I do not agree with the remedy they propose.

10,156. You agree with it as an abstract proposition, but not with the practical effect.—No. What I mean is this, that

such a system would be lopsided, but the remedy would be to bring up the women so that on equal rights they could come up.

10,157. It has been suggested, I think, by some of your delegation, that the interests of men and women are not different at all. Do not you think, as regards legislation affecting women and children, that is more likely to be put through if there is a women's vote behind it?—Personally, I agree.

10,158. Does your delegation agree?—Our community as a whole does not think so.—*Mr. H. S. Suhrawardy*: No; we can look after the interests of the women and children.

10,159. That has been said for many generations. Would your delegation also say that your social customs will prevent many women voting?—*Mr. Abdullah Yusuf Ali*: That is so.

10,160. Do not you think that if women had the vote, they might abolish those social customs?—I think the process should be the other way. As the women will get more education, the customs will go. They are going now; but I do not believe in artificially forcing the pace.

10,161. You think they will go through the spread of education, but not through women having the vote.—Yes. I think education is far more important than the vote.

10,162. Do not you think women's education will be more likely to develop if women have the vote?—I do not say that.

10,163. We have been told, too, that women are not much affected by communal questions, and that they are really rising above it. Do you agree with that?—That is a statement made by my friend, Begum Shah Nawaz. I do not quite agree with that.—*Mr. H. S. Suhrawardy*: Our experience is entirely the opposite.—*Sir Mohammed Yakub*: The point is that women have just come into the arena of public life, and they have not the same experience of public life, or of the conflict of interest between the two communities, as we have. In fact, they do not go into Services, where there is the greatest clash between the two communities, and therefore they have not any experience. In fact, they do not go into the danger zone. As they go more and more into public life and enter into the danger zone, they will feel that there is a communal question between women and women also.

10,164. If you thought that the women were acting merely as a solvent of the communal difficulties, would you welcome the franchise for women?—*Mr. Abdullah Yusuf Ali*: [If] I thought so, but that is a questionable proposition.—*Sir Mohammed Yakub*: Even among the All-India Women's Conference, I have heard that there is dissention amongst its members on communal lines. —*Mr. Abdullah Yusuf Ali*: Yes, everybody knows that.

10,165. Do not you think it is rather a pity, with these women's organizations, to force women back into communal electorates, as you suggest?—It may be a pity, but it is very necessary.—*Mr. Suhrawardy*: The women of both the communities in India live in much more watertight compartments than the men. They do not come in contact with each other, and they are much more conservative and orthodox than the men are.

10,166. Are women very strongly represented in the Muslim Conference and the Muslim League?—*Mr. Abdullah Yusuf Ali*: Not very strongly represented. In our community they mostly live private lives.

10,167. Is your view largely the view of the masculine side of the Muslim movement?—*Sir Mohammed Yakub*: Not only the masculine side, but our women also share these views.—*Mr. Suhrawardy*: There are hardly any women, taking it in numbers, who have come yet into public life.

10,168. Do you agree that the political awakening of the women of India is one of the most remarkable features of modern Indian public life?—*Mr. Abdullah Yusuf Ali*: Yes.

10,169. Do you welcome it?—Personally, yes; but I think there are some people in our community who look upon it with suspicion. I think the community will certainly welcome it if it is within the spirit of the community.

10,170. One last question on fundamental rights. On page 10 of your Memorandum, you say you are in favour of the "necessity of providing proper safeguards for the protection of Muslim religion and culture, education, languages and law". Would you agree to amend that by saying 'all religion and culture, education and languages', not merely Muslim but of all communities?—Yes, that follows, because the Hindus, being in the majority, would naturally pull their own weight. We being a minority would want to protect our own culture.

10,171. Do you agree that a declaration of fundamental rights should be general rather than particular?—Yes.

10,172. Would you agree to include sex in that?—Sex is not a fundamental right.—*Mr. Suhrawardy*: It can hardly be altered by legislation.—*Mr. Abdullah Yusuf Ali*: As I said before, the interests of the sexes are the same in the political field.

*Mr. R. A. Butler*

10,173. There is one question which my colleague of the Labour Party has not asked. How would you elect the members for the Lascars' constituency you suggest? Would you elect them by the roll, on the employment register, or would you elect them by Trade Unions?—By Trade Unions probably, but I am not particular in regard to details.

10,174. You have not worked out the conditions for that.—No.

10,175. You have not any established opinion on that point.—No.—*Mr. Suhrawardy*: I am President of a seamen's society, and my suggestion so far as that is concerned is that their representative should be elected by the Trade Unions. They are fairly well organized. There are many Trade Unions, and include [*sic*] Lascars and burlers [*sic*] and various ratings.—*Mr. Abdullah Yusuf Ali*: As a general principle, it is a good thing that Trade Unions should be encouraged, because that would encourage the organization of labour.

10,176. That is for the Federal Assembly, but with regard to the Provincial Assembly representative for the inland watermen, whom would you like to elect in that case?—*Mr. Suhrawardy*: Also by the seamen, I think. The inland mariner workers[*sic*] as well as the seamen did put before the Delimitation Committee their point of view that a seat should be set apart for each of them, represented by trade unions, and ultimately the Committee decided that two out of the eight seats should be set aside for representation by all the Trade Unions within the Province; and as the seamen's unions are the best organized, they expect that they will be able to get at least one.

10,177. That is for the Provinces in Bengal?—That is for the Provinces in Bengal.

*Sir Austen Chamberlain*

10,178. May I put a question first of all about fundamental rights? I gather, Mr. Yusuf Ali, that you are not satisfied with the proposal in the White Paper, I do not know whether you have it before you, but I should like to read you a few words.—*Mr. Abdullah Yusuf Ali*: Do you mind quoting the Section?

10,179. It is Section 75 of the preliminary part.—I have it.

10,180. His Majesty's Government "are satisfied that certain provision of this kind, such for instance, as the respect due to personal liberty and rights of property and the eligibility of all for public office, regardless of differences of caste, religion, etc., can appropriately, and should, find a place in the Constitution Act." I understand that is not sufficient for you.—That is not sufficient.

10,181. What more is it exactly that you require?—We want the protection of our culture, of our religion, of our languages, education and so on, and personal laws.

10,182. Does law as used in that paragraph in your Memorandum mean personal law?—Yes.

10,183. Have you considered how, for the purposes of that protection, you would define the culture of any body, Muslims or others?—There is a special kind of culture that has grown up through our literature and our history. We do not want to lose it. That is more or less bound up with religion, languages and personal laws. For instance, the heritage of Persian and Arabic literature would be lost if the Council passed a resolution to eliminate those subjects from education. We have been pressing for the teaching of Islamic history in the Punjab Univeristy. There was a very real danger that Islamic history might be omitted. That is the sort of thing we are contemplating.—*Sir Mohammed Yakub*: It was actually omitted.

*Mr. Zafrulla Khan*: It was omitted in the sense that it was excluded before, and the Syndic directed that it should not be a subject.

*Lord Eustace Percy*

10,184. Under your scheme, what authority is there to compel the Punjab University to retain the teaching of Islamic

history?—*Mr. Abdullah Yusuf Ali*: If it was in the Constitution, any university or municipality or community could be forced to do it by law. We could get an injunction against the Punjab University to stop the exclusion of Islamic history if it was in the Constitution.

10,185. No doubt you could if Islamic history was specially mentioned in the Act; but what conceivable form of words could be interpretable in that regard by a Court of Law?—I think culture would include that, though I admit there is a certain amount of vagueness, and the probability is the matter would not be decided by injunction, but by an appeal to our fundamental rights, less in Courts of Law than in Councils.

*Lord Rankeillour*

10,186. Are you thinking of ecclesiastical law in this paragraph?—Ecclesiastical law in this sense: I must explain that in India we have a large body of law applying to marriage, divorce, inheritance and so on, which is derived through religious sources, and we want to prevent that being taken away or being swamped.

*Lord Rankeillour*: That is what I meant.

*Sir Austen Chamberlain*

10,187. Would the law of inheritance come within fundamental rights?—Well, in so far as it has a religious significance and is part of personal law.—*Sir Mohammed Yakub*: We derive our inheritance law from the Quran.

10,188. It is very difficult for some of us to follow the implications of your view of this matter. Do you think it would be possible for you to send to the Committee, after full consideration, a considered form of words which would do what you want, so that we might examine it?—*Mr. Abdullah Yusuf Ali*: We represent the Muslim Conference and the Muslim League, and we should have to refer to those bodies if we were to submit a cut and dried formula; but I can explain one or two matters further. Take, for instance, the question of inheritance. Under Muslim law, the daughters as well as the sons inherit—all female relations inherit in the same way as males, though not necessarily the same shares. Hindu law excludes females. Suppose that

the Legislative Council took it into their heads to abolish this privilege in Muslim law, we should be very, very seriously handicapped. We should not like it at all—in fact it would be against all our history.

*Sir Austen Chamberlain*: I follow that.

*Mr. Zafrulla Khan*: May I say this?

*Sir Austen Chamberlain*: Perhaps I can put my question this way, and then I will give way to Mr. Zafrulla Khan.

*Mr. Zafrulla Khan*: I merely wanted to explain the position of Muslim law at present under the Statute, and not put a question.

*Sir Austen Chamberlain*: Please go on.

*Mr. Zafrulla Khan*

10,189. What I wanted to explain was this. Take one Province, the Punjab. Section 5 of the Punjab Laws Act, which describes what laws shall be applicable to the Province, says that in certain matters, including marriage, divorce, succession, inheritance and guardianship, Mohammedan law shall apply to the Mohammedans and Hindu law to the Hindus in default of a custom proved which may be applicable to the parties. The point I wanted to explain—I did not want to put a question to the witness—was this. This position that is stated there is applicable in almost every Province, and the object of this portion of the Memorandum would be to secure that that right of the Province should not be abrogated so as to force either Hindus or Mohammedans to accept measures on matters which are specified in this Act, which would contravene their right.—*Mr. Abdullah Yusuf Ali*: Those laws could be easily specified.

*Sir Abdur Rahim*: They are specified.

*Sir Austen Chamberlain*

10,190. What you desire is a provision in the Constitution similar to the Act now existing in the Punjab which has been described.—Existing all over India.

10,191. Existing all over India, you say?—Yes.

10,192. Now I want to return to an answer which you made this morning. You spoke of having seen an advertisement

in *The Times* for posts in India with a notification that only European applicants were invited to apply.—Yes.

10,193. Do I understand that that advertisement was an advertisement referring to the Indian Medical Service?—That is my memory.

10,194. In the Indian Medical Service, a certain proportion of appointments are reserved for Europeans, are they not?—So it appears.

10,195. And the rest are reserved for Indians?—At present the recruitment in the Indian Medical Service is only made occasionally. There are a certain number of Indians in the Indian Medical Service. In the old days, there were examinations in London, held regularly like the I.C.S. examination, to which it was open to any Indian or any Englishman to go; and if he passed, he was taken without any question. Now the matter stands on a different footing. The Secretary of State, in order to maintain a certain percentage of Europeans in the Medical Service, recruits them occasionally, and whenever he wants to fill European vacancies, he advertises in *The Times* with this wording, that only persons of 'European parentage' should apply.

10,196. That is very different, if I may say so, from the impression that your earlier answer might have produced. You called attention to this matter as an instance of unfair discrimination.—Well, I think it is.

10,197. Am I not right in saying that Indians for the Indian Medical Service are recruited in India?—Some are.

10,198. Some here as well; but, rightly or wrongly, it is desired to have a proportion of Europeans in the Indian Medical Service.—That is a very different question.

10,199. Rightly or wrongly, it is the policy, and has been the policy, of the Government of India and of His Majesty's Government to have a certain proportion of European officers in the Indian Medical Service.—That is so.

10,200. Is not this what happens at the present time? If there is a vacancy in the Indian cadre, an Indian is recruited and if the vacancy which is advertised is in the European cadre, then a European is recruited.—I do not know whether that is so, but I am prepared to accept that as a possibility.

10,201. That would be the explanation of the advertisement, and a much more innocent explanation than the one you gave.—But I think that method is wrong.

*Sir Austen Chamberlain.*: That is quite another thing.

*Sir Hubert Carr*

10,202. May I suggest that the number of officers in the European cadre is very far short of what it is supposed to be?—I believe sometimes, when the examination has been taken, very few European candidates went in. There may be some justification for getting more European candidates. I am not objecting to that; but I am objecting, as a matter of principle, to a recuitment being made in that form. I think you can set apart, quite easily, a certain number of vacancies; but you should recruit all the people together, and say so many appointments shall be reserved for Europeans, assuming that the policy of reserving a certain number for Europeans is accepted.

*Sir Austen Chamberlain*

10,203. That is in fact what you ask shall be the case in regard to the Services for Muslims.—Yes.

10,204. Is not that in fact exactly what the Secretary of State is doing in the advertisement to which you have taken exception, but for a different purpose?—Well, the wording does not show that.

10,205. I do not say that the wording shows it. He does not in the advertisement say that he is recruiting the Indian section in India or the Indian complement of the Service from Indians; but he is needing a certain number of Europeans, and therefore he advertises for Europeans just as if you were to have the proportion set out, as you wish, in the Services for Muslims. Supposing a vacancy was not among the Hindus but among the Muslims, you would have to intimate that only a Muslim candidate could be accepted.—That would be all right.

10,206. But when it is applied to an Englishman, it is all wrong?—No. My point is this. Where there is any reservation of that kind in the recruitment, it should be open to all people who are eligible for it, subject to the reservation of so many seats being reserved for Europeans or Muslims or Hindus.

10,207. I will only put one further question on that point. Assuming that the Secretary of State advertised because he required European officers for the European cadre of the Service, and those were the only vacancies at the moment, would it really be an advantage to the Indians to be invited to sit for that examination and to be told at the end that, wherever they had come out in the examination, they could not be appointed because these were vacancies reserved for Europeans?—No; but why not have one examination and then reserve so many seats for the various people?

10,208. In India or in England?—Well, in both places. The greater number of people, Indians, who are likely to go into the Indian Medical Service are educated in England, and it predjudices them if you exclude them from the examination in England and send them back to India and then leave them to compete. I do not think there is an examination held in India.

*Dr. Shafa'at Ahmad Khan*

10,209. You have no objection at all to the principle formulated by Sir Austen Chamberlain.—No, I have no objection whatever to that; but I am objecting to the method.

*Mr. Butler*: The inference that Sir Austen has now drawn from the original answer is a more accurate one than the original inference would convey.

*Sir Austen Chamberlain*

10,210. I am not sure that I follow that observation.—I merely quoted that incidentally because I think it is a wrong principle.

*Sir A. P. Patro*: As a matter of fact, with regard to the British cadre of the I.M.S., in order to fill up these vacancies, the Secretary of State has been advertising these reserved places. It is not a new thing which the Secretary of State has been doing to deprive the Indians of their proportion; because the proportion has been growing less and less, and therefore advertisement has been made to recruit the British recruits in order to make up the proportion of the European cadre.—I am not disputing that; but I do think that many Indians think that that method is open to misunderstanding.

*Sir Austen Chamberlain*

10,211. Your objection is to the terms of the advertisement.—Yes.

10,212. But not to the reservation of places.—No.

10,213. There is no unfair discrimination shown in the reservation of places.—Not if you accept that policy.

10,214. That is all I want to get on that, but I hope we have now got that matter clear. I wish next to turn to quite a different question, namely the method of election to the Lower House of the Federal Assembly. You hold, if we were to work for democracy, direct election was [*sic*] the only possible method to reach the goal.—That is so.

10,215. I presume you have read the Report of the Simon Commission.—Yes.

10,216. You do not agree with that.—I do not agree with everything that the Simon Report says.

10,217. I am going to put a particular passage to you and ask you whether you do or do not agree with them when they say: "If self-government is to be a reality, it must be applied to political units of a suitable size, after taking into account all relevant considerations."—Yes, I agree with that.

10,218. They further say: "Representative democracy, as it is understood in Britain, depends for its success on the possibility of a close contact between the elector and the elected person."—Certainly.

10,219. Unless this is secured, it is not real representation at all.—Yes.

10,220. Do you agree with that?—I agree with that.

10,221. Then in a later passage, the Simon Commission observe: "Representative institutions were devised as a means of getting over the difficulty created by the expanding size of States; and it appears to us to be in strict accordance both with the theory of representation and with the requirements of common sense to say that when the total area to be provided for is so huge that direct election would involve either impossibly large constituencies or an impossibly numerous Assembly, the solution is to be found through election by the elected."—I agree with that only in a qualified sense as a general proposition. I do not agree

with the implication in it that these constituencies are impossibly large.

10,222. To help my ignorance of Indian geography, I wonder whether your knowledge of our geography would suffice. For instance, would you think that we could get an adequate representation of Wales if the whole of Wales were one constituency, the other parts of England being reduced in proportion?—That is for you to consider.

10,223. Do you know Wales?—I know Wales.

10,224. Would you think it easy for one Member adequately to represent the feelings of so large a district with so many difficulties of communication?—It is very mountainous country, and communications are not very good in the remoter parts of Wales; but if you take an area fairly large in India, comparable to, let us say, four or five counties of the southern counties of England, that might give an illustration.

*Sir A. P. Patro*

10,225. Take a district.—I will take a district of say 50 by 60 miles.

10,226. Or 70 or 80 or 90 miles?—Or even 100 miles by 50 miles, or something of that kind. Under Indian conditions, considering how few people are literate, I believe that is not an impossibly large area.

*Sir Austen Chamberlain*

10,227. Why does the fact that people are not literate make it easier to collect their opinions?—No; it is because a large number of them will not have the vote—350 millions will not be voters.

10,228. If the franchise were extended, you would agree that such constituencies would be impossible.—Yes.

10,229. It is only for the comparatively narrow electorate now proposed that you would support direct election if it involves such large constituencies.—I should like direct election; and, if the number is increased, I should like the number of seats to be increased.

10,230. Up to what point do you think you could increase

the Lower House of the Assembly without making it unmanageable?—Well, I suppose 500 or 600 seats—you have, in the House of Commons, 600.

10,231. As at present proposed, would you take 2,000 to 5,000 in square miles as the kind of constituency a man might reasonably cover?—Yes, perhaps a little more.

10,232. There would be many constituencies under the White Paper scheme which would he very much larger than that, would there not?—Yes.

10,233. There would be some as large as Wales and Monmouth.—The communal constituencies would tend to be large, because they are scattered; but the actual number of voters in them would not be very great.

10,234. I am talking of size at the moment. The constituencies might be as much as 12,000 to 17,000 square miles.—That might be so.

10,235. You think you could adequately keep touch with your constituents in a constituency extending over 12,000 or 15,000 or even 17,000 square miles with imperfect communications.—Not adequately in the sense that it is understood in England; but we are only starting our system, and I think we should have to be content with some defects that we would want to remedy later on.

10,236. May I put to you another quotation from the Simon Commission. They say: "Our observations tend to show that under the existing Constitution there is little contact between the two categories of representatives"—that is Federal and Provincial. They go on to say: "This is partly due to the slight connection of the Member of the Assembly after election with his constituents."—That is quite true, but is less and less true as time goes on.

10,237. But it is still true.—I think it is; but that difficulty is being got over as the Members learn their business, and as the constituents learn their business.

10,238. Would you agree with the Simon Commission that all the evidence goes to show that at present a Member in the Assembly is not, and in the nature of things cannot be, subject to any real control on the part of his constituents?—Well, that is getting less and less true than it was. It was certainly true

when it was written. There are great difficulties that we have to meet in that respect; but we have to make the best of the present situation as it exists.

10,239. You would sooner incur those difficulties and [dis]advantages than follow the recommendations of the Simon Commission with regard to election by the electorate.—Because that recommendation will not be acceptable to the people whom I represent. It is more a psychological question, is it not?

10,240. Would it be acceptable to you? Is it only your fear that you cannot persuade those whom you represent?—I think that I should prefer direct election myself, because it leads to greater and greater contact.

*Marquess of Lothian*

10,241. I want to ask you one question. Am I correct in thinking that you are in favour of the literacy qualification with regard to the vote for women?—That is one of the possible suggestions that I make in order to give a larger electorate. I do not say absolutely that I should introduce it; but that is a perfectly legitimate way of equalizing the status of sexes.

10,242. The Muslim League, or the Muslim Conference, has not expressed any view about the matter.—I do not think that they have expressed any definite view about it.

10,243. If that is not so, then obviously there is no possibility of expanding the women's vote to the White Paper proposals.—No; but I do not think that there would be any objection to that, if it were practicable.

*Chairman*

10,244. You ask, amongst other things, in your Memorandum, for protection of your language.—Yes.

10,245. What exactly do you fear in that regard?—I said 'languages' because the Muslims of India generally have a vernacular, Urdu, and we are always up against difficulties because the Hindus wish to exclude that language from studies, and so on. We are very keen that our vernacular should be safeguarded. I used the plural word 'languages' because we have two classical languages in which our culture is embodied, namely Arabic and Persian. If those were excluded, our religious studies would

be very much prejudiced. Therefore we think that our languages should be safeguarded, that it should not be open to any Legislative Council to issue a fiat suddenly that the Urdu language need not be taught. We constantly come across suggestions of that kind. One of the difficulties in one of the Indian States was that the Urdu language was banned more or less, and it caused a great deal of friction or trouble.

10,246. Is there a literature to which you attach value in Urdu?—We Muslims certainly think that there is a great deal of value in it.

10,247. Is there a literature?—There is a large literature.—*Sir Mohammed Yakub*: It is not only literature, but our religion is in the Urdu language; and because the Muslim boy is forced to read the English language if he is to get employment, he cannot give sufficient time to [read] Persian and Arabic in order to go through his religious course. Therefore, under the present conditions, so long as English is the passport for getting into the Government services, it is necessary that Urdu must be taught to the Muslim boys.

10,248. Can you point to any signs of an impending attack? —We have attacks every day even now.—*Dr. Khalifa Shujauddin*: If I may say so, the attack is going on even now in the Punjab; and as a matter of fact, certain definite proposals have been made before the Senate for excluding Arabic and Persian from the course of studies of the Punjab University, and also for minimizing the use of Urdu by laying it down that henceforward Urdu shall not be the medium of instruction in the lower schools. That attack has not succeeded so far, but attempts have been made over and over again. I say so from personal knowledge. —*Sir Mohammed Yakub*: That is so in every Province.—*Mr. A. Yusuf Ali*: Perhaps I may give you another instance. I was a Member of the Punjab University Committee which sat during the last cold weather, and the tendency of the Committee was to minimize the importance of the Muslim languages; and I had to write a note on the subject. It shows that it is a living question.—*Sir Mohammed Yakub*: In the United Provinces also, great attempts have been made to take Urdu off the curriculum of studies. In fact, there was a very big agitation in the United Provinces in 1903 when the late Lord McDonnel tried to introduce

Devnagri in the Province where Urdu was being used before.

10,249. Are examinations for any public services conducted in Urdu?—*Mr. A. Yusuf Ali*: The lower services, yes. *Khan Sahib H. Rashid Ahmad*: In fact even in Bengal.

*Sir Hubert Carr*

10,250. Did Sir Mohammed Yakub say that there was not time for a Muslim boy to learn Urdu and English?—*Sir Mohammed Yakub*: I said that Arabic and Persian require a very great deal of time, if they try thoroughly to learn Arabic and Persian; and in order to get his religious education the Muslim boy had to confine himself to Urdu. If Urdu is also banned, then there will be nothing for him in which to get instruction in his religion.

10,251. He will have time to learn English as well.—He must have time to learn English as well.

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*Chairman*: We are greatly obliged to you gentlemen for the manner in which you have given your evidence. Thank you very much.

Source:—Joint Committee on Indian Constitutional Reform [Session 1932-33], volume II C, *Minutes of Evidence given before the Joint Committee on Indian Constitutional Reform*, London, 1934, pp. 1481-1550.

## 39. Conference Secretary's Letter to the Secretary of State for India

*24 October 1933*

As the Joint Select Committee on Indian Constitutional Reforms [*sic*] will shortly be concluding its labours, the Musalmans of India desire once again to reiterate their demands and state precisely their feelings with regard to them, so that the Committee may have, besides the facts that may be placed before it during its sittings, an insight into the inner working of the political situation in India.

The Musalmans have more than once made it abundantly

clear that they form a distinct community in India with a distinct culture and traditions of their own, and they believe that unless adequate safeguards are embodied in the future Constitution of the country, their interests will be greatly endangered. Having this in mind, they formulated their minimum demands at a meeting of the All India Muslim Conference on January 1, 1929, under the presidency of the Aga Khan, and declared that no constitution by whomsoever proposed or devised would be acceptable to Indian Muslims unless it conformed to the spirit and principles embodied in these demands. His Majesty's Government have since then accepted the greater part of those demands; but the rest of them, which are no less vital, still await their acceptance.

The Musalmans of India view with alarm the persistent efforts that are being made by a section of the majority community, not only in India but in England as well, to mislead public opinion and thereby secure a revision of the Communal Award in such a manner as to deprive the Musalmans of even such rights as have been conceded to them by His Majesty's Government. A regular propaganda is being carried on in England to influence the authorities there to revise the Communal Award according to the wishes of the majority community.

The Musalmans, therefore, wish to make it clear that the demands formulated by the All India Muslim Conference on January 1, 1929, and already placed before His Majesty's Government, are the Muslim National creed, and no Constitution would be acceptable to the Musalmans unless the principles underlying these demands are as a whole embodied therein.

The Musalmans of India yield to none in their desire to see their country holding an honourable position and a status of equal partnership in the British Commonwealth of Nations; but they are on no account prepared to accept a Constitution which would deny them their just rights. The present agitation of the majority community against the Communal Award and the Muslims' demand has clearly demonstrated that the majority community is not prepared to accept any principle of justice and equity so far as the Muslims' demands are concerned. The Musalmans have learnt through experience that under the cloak of 'Nationalism' a section of the Hindus is

striving to have a complete domination over other races in this country.

Separate electorates are regarded by the Musalmans as their most cherished political right which they would on no account allow to be disturbed. The pronouncements of prominent British statesmen go to show the justice of the Muslim demand for the retention of separate electorates. In defending the separate electorate for the Musalmans, Viscount Morley on February 23, 1909, said. "Only let us not forget that differences between Mohammedanism and Hinduism is [*sic*] not merely a difference of articles of religious faith and dogma. It is a difference in life, in tradition, in history and in all social things and articles of belief that constitute a community. Do not let us forget that in talking of Hindus and Mohammedans we are dealing with, and are brought face to face with vast historic issues. We are dealing with the very mightiest forces that through all centuries and ages have moulded the fortunes of great States and the destinies of countless millions of mankind."

The demand for one-third Muslim representation in the whole House of the Federal Legislature is the irreducible minimum which the Musalmans cannot forego. The separation of Sind is demanded on ethnological, linguistic, geographical and administrative grounds, and should on no account be shelved. The Muslim majority in the Punjab and Bengal is essential, and must be guaranteed by statute. In this connection we are constrained to say that the Communal Award has done an injustice to the Musalmans of Bengal by reducing their majority to a minority. At the first Round Table Conference, the Prime Minister had laid it down as a principle that in no province would a majority community be reduced to the position of a minority, or even of any [*sic*] equality. But the Communal Award has relegated the Musalmans of Bengal to the position of a minority, although they form a majority of the population.

Other vital matters affecting the Muslim community in respect of which the Communal Award and the White Paper are silent relate to the Muslim demand for a statutory provision guaranteeing to the Musalmans adequate share in the services of the Government and all self-governing bodies, sufficient safeguards for their personal laws, religious rites, educational faci-

lities, language and the establishment of a department of *qaza* for adjudication of such disputes among Musalmans as require Muslim judges conversant with Islamic personal laws. The Musalmans demand that sufficient guarantee with regard to these should be provided in the new Constitution.

It is also important that a provision should be made in the new Constitution for the appointment of such Ministers from the minority communities in the Cabinets of the Provincial and Central Governments as are acceptable to their communities.

I would also like to impress on His Majesty's Government and the Honorary members of the Joint Select Committee that the delay in inaugurating the new Constitution is causing great anxiety and is straining the faith of a considerable body of public opinion, including the Musalmans. The old order has lost its grip, and the new one is still in embryo. Give the people a chance to put their house in order by inaugurating the new Constitution in 1934, and I assure the Government that the destructive forces now rampant in the country would be used for constructive work, and even terrorism would not raise its head. The choice therefore lies between consolidating constructive forces for the successful working of the new Constitution and creating additional forces of discontent and dissatisfaction.

The Musalmans have no doubt that His Majesty's Government and British statesmen would rise to the occasion, and by their statesmanlike policy would help to satisfy and consolidate that tremendous force of public opinion in India which at present stands for constitutional methods and ideals of democratic government on sound and healthy lines.

Source:—*Civil and Military Gazette*, Lahore, 1 November 1933.

## 40. Muslim Conference Working Committee Resolutions

*Simla, 13 August 1934*

1. In view of the fact that an inquiry into the proposals for reforms has already taken nearly seven years, the All India Muslim Conference considers it of the utmost importance that

necessary legislation be undertaken during the course of this year and enacted before the middle of 1935 so as to constitute Provincial Legislatures before the end of 1935.

2. In view of the fact that certain public bodies and persons are seeking to reject the Communal Award directly or indirectly, this meeting of the Working Committee of the All India Muslim Conference reiterates its conviction that although such of Muslim demands as are embodied in the Communal Award and the White Paper are inadequate to afford that measure of protection to the Muslim community which the existing conditions of the country warrant, and which have been urged by the Conference from time to time, any modification in the provisions thereof affecting those Muslim safeguards without the consent of Musalmans will render any Constitution wholly unacceptable to the Muslim community.

3. The meeting of the Working Committee of the All India Muslim Conference is of the view that Sind should immediately be given the status of a separate Province under the existing Constitution and that under the new Constitution it should have the same status and power as other autonomous Provinces of India.

4. While welcoming recognition of [the] Government of India of (a) the existing inadequacy of Muslim representation in central services, (b) the failure of the measures of 1925 to afford relief they were expected to give, and (c) accepting the principle that minimum representation should be fixed, this meeting of the Working Committee of the All India Muslim Conference is of opinion that the Government has failed to protect Service interests, justice and fairplay so far as Muslims are concerned inasmuch as (a) it has fixed Muslim representation at 25 per cent on population basis and not on the basis of their representation in legislatures, that is 33 and 1/3 per cent, and (b) further it has failed to make transitory provision to make good the existing extreme inadequacy of Muslim representation, and (c) has made no provision for setting up an organization to see that the Government resolution on the subject is properly carried out into effect and does not meet the same fate with which the resolution of 1925 had met. This Conference urges that it should be made the duty of a special officer to examine how far these orders are being carried out, and that his report should be placed every year

before the Central Legislature in time for consideration of Members in connection with [the] budget discussion.

5. In view of the fact that a vast majority of public servants are employed by Provincial Governments and bodies under them, this meeting of the All India Muslim Conference urges the necessity of fixing proportions of Musalmans in all grades and branches of Service, whether under the Government or local bodies, in accordance with their proportions in Provincial Legislatures, as the present proportions are hopelessly inadequate.

6. This meeting of the Working Committee of the All India Muslim Conference views with great dismay the differential treatment meted out by the Government to Khudai Khidmatgars (Red Shirts) in the Frontier Province and Congress organizations in the rest of India, and urges upon the Government the need of immediate release of Khan Abdul Ghaffar Khan and his co-workers.

7. This meeting of the Working Committee views with great disappointment the attitude of the Government towards the constitutional advance demanded for British Baluchistan. This meeting puts on record its opinion that the feeling of discontent is every day increasing amongst Baluchis owing to repressive measures that are being taken by the Government against the inhabitants of that Province for adopting legitimate and peaceful methods of action to advance their political status. This meeting apprehends that if the present state of things will continue in British Baluchistan, it will no doubt become another hotbed of discontent on the frontier.

8. The meeting of the Working Committee of the Muslim Conference places on record its emphatic protest against the policy of the Madras Government in having deprived the Muslim community of their solitary seat in the Madras Cabinet by the appointment of a non-Muslim in place of Sir Mohammad Usman, and urges upon the Government the imperative necessity of redressing the grievances of the community by appointing a Muslim in the next vacancy in the Executive Council which is due to occur shortly.

Source:—*The Indian Annual Register 1934, Vol. II: July-December 1934*, pp. 309-310.

## 41. Muslim Conference Working Committee Resolutions

*Aligarh, 23 December 1934*

1. The Working Committee of the All India Muslim Conference places on record its considered opinion that the constitutional advance proposed by the Joint Parliamentary Committee is as a whole disappointing and falls considerably short of the aspirations of the people of India and shows that it has been conceived in a spirit of distrust of the Indian people and is in some respects retrograde even as compared with the White Paper.

2. The Committee regrets to find that due weight has not been given by the Joint Parliamentary Committee to the recommendations made by the British Indian delegation and urges that the proposed Constitution be improved in the light of the said Memorandum.

3. The Committee notes with satisfaction that the Communal Award has been incorporated in the Joint Parliamentary Committee Report, which, in the absence of any agreed settlement, forms the only working basis of co-operation amongst the communities. The Committee strongly deprecates all efforts from any quarters to upset the same.

4. The Working Committee regrets that the Joint Parliamentary Committee Report does not concede the minimum demands of the community as embodied in the various resolutions of the All India Muslim Conference.

5. In view of the conditions prevailing in the country, the Working Committee is of opinion that, in spite of the proposed Constitution being unsatisfactory, the best course for Indians is not to reject the reforms, but to make united efforts to attain full responsible government.

Source:— *The Indian Annual Register 1934, Vol. II: July-December 1934*, pp. 310-311.

## 42. Muslim Conference Executive Board Resolutions

*New Delhi, 17 February 1935*

1. The Board deplored the fact that His Majesty's Government have ignored repeated demands by Muslims that British Baluchistan should be constituted a separate Province and that reforms should be introduced therein, and urged His Majesty's Government and the Government of India to make immediate provision for the elected representation of British Baluchistan in the Central Legislature, freedom of speech, association and the Press, an elected system for local bodies and jirgas and the codification of customary law.

2. The Board protested against the continued incarceration of Abdus Samad Khan Achakzai, Chairman of the All India Baluch Conference, and Abdul Aziz, and asked that, in view of the calm prevailing in the country, they should be immediately released.

The Board called upon the members of the Central Legislature to bring the above matters before the Legislature.

3. The Board urged the safeguarding of personal law and the establishment of *Qazi* courts.

4. As regards the steady elimination of Muslims from all key-posts in Madras Presidency, the Board recorded its empahtic protest against the appointment of non-Muslims to the Madras Cabinet and the Madras Service Commission in vacancies recently caused by the retirement of Muslim incumbents. The meeting urged the necessity of securing due representation of Muslims in the Madras High Court bench, appointing a Muslim in the vacancy in the Madras Executive Council shortly to be caused by the retirement of the Finance Member, and filling the next vacancy in the Madras Public Service Commission by a Muslim.

Source:—*Civil and Military Gazette*, Lahore, 19 February 1935.

## 43. Muslim Conference Executive Board Resolutions

*New Delhi, 24 March 1935*

1. The Board condemned in the strongest terms the action taken by the local authorities at Karachi in firing on an innocent, unarmed crowd, and called upon the Government to institute a public, impartial inquiry into the conduct of the officers concerned and to compensate the injured and the dependents of the dead.

2. The Board condemned the prohibition of cow sacrifice at Ajodhya and Shahjahanpur, which is decidedly an interference with the religious rights of Musalmans and established custom. It urged the United Provinces Government to take immediate steps to remove the grievances of Muslims of Ajodhya and neighbouring places.

3. The Board viewed with apprehension the mischievous activities of the sponsors of the Anti-Communal Award Conference and the proposed Malaviya deputation to London, and expressed the views that such activities would only result in embittering feelings between communities. It requested Mr. Jinnah, Mr. K. L. Gauba and other Muslim Leaders who might happen to be in England during next summer to do all in their power to combat and expose the propaganda of Pandit Malaviya and his colleagues.

Source:—*Civil and Military Gazette*, Lahore, 26 March 1935.

## 44. Muslim Conference President's Cable to Some British M.P.s

*Karachi, 2 July 1935*

The Parliamentary Amendment to Clause 299 of the Government of India Bill has created uneasiness among Indian Muslims. Muslims consider this move as a breach of pledge. The Anglo-Indian Papers are also supporting the Muslim demand for amending Clause 299 permanently to ensure separate electorates and to be declared unchangeable by any authority without the consent of Muslims. Use your wide influence with the Lords to amend the clause in the third reading.

Source:—*Civil and Military Gazette*, Lahore, 3 July 1935.

# Appendix I

**All India Muslim Conference**
**Presidents**

| | | |
|---|---|---|
| December 1928 | Delhi | The Aga Khan |
| November 1930 | Lucknow | Nawab Muhammad Ismail Khan |
| April 1931 | Delhi | Maulana Shaukat Ali |
| March 1932 | Lahore | Sir Muhammad Iqbal |
| December 1932 | Calcutta | Abdullah Yusuf Ali |
| 1933 | | Dr. Shafa'at Ahmad Khan |
| 1934 | | Nawab Sir Ahmad Said Khan of Chattari |
| 1935 | | Seth Haji Abdullah Haroon |

*Note*: Information about the last three entries have been collected from newspapers. Texts of their presidential addresses are not available.

# Appendix II

## NOTES

### Document 1

This Manifesto is of considerable importance because it sowed the seed of the first All India Muslim Conference. The treatment meted out to the Muslims attending the Lucknow session of the All Parties Conference, in August 1928, was greatly resented by all Muslim political groups. When, a few days later, the text of the Nehru Report was published, it created a stir among the Muslims. On top of this came Pandit Motilal Nehru's campaign in favour of his Report among the Members of the Central Legislative Assembly on the eve of the Simla Session of 1928. He was canvassing support for a resolution to be passed by the Assembly, endorsing the principles embodied in the Report. This goaded some Muslim Members of the Assembly into brisk activity. They regarded the Pandit's efforts with deep suspicion and feared that the proposed resolution, if carried, would put the political existence of the Muslim community into jeopardy. To rally public opinion against such a Hindu move and to inform the Muslims of the impending peril, they, in conjunction with members of Provincial Legislative Councils, issued this Manifesto on 10 September. It was signed by 28 Muslim Members of the Central and Provincial Legislatures; later it was reported in the Press that another 11 had appended their signatures to the document.

The names of the signatories show that they were drawn from all political parties and groups: Muslim League, Khilafat Conference, Swarajist Party and Independents.

## Document 2

The statement explains the background to the Manifesto and analyses the composition of the signatories. Then it proceeds to announce, for the first time, the forthcoming All India Muslim Conference to be held in November (later the date was changed). It makes known that the Aga Khan would be asked to preside.

Mr. Fazal Ibrahim Rahmatoola, a Member of the Indian Legislative Assembly and one of the prime movers of the Conference, issued this statement in the course of an interview with a representative of the Free Press of India at Simla.

## Document 3

The first letter is a formal circular sent to the Secretaries of all Muslim political organizations. The words 'Jinnah Section' appear in the original after the words 'All India Muslim League'.

The second letter, addressed to Mr. Jinnah, bears no date. It is a printed letter, like a circular, copies of which must have been dispatched to hundreds of Muslim leaders.

Mr. Jinnah's reply also is without a date.

The last letter is a personal one, unlike Mr. Rahmatoola's earlier printed letter.

In 1928 the All India Muslim League was split into two groups, popularly known as the Jinnah League and the Shafi League. The bifurcation occurred on the issue of the attitude to be adopted towards the Simon Commission. Mr. Jinnah, along with a majority of the League Council and leadership, did not wish to co-operate with the Commission; while Sir Muhammad Shafi of the Punjab, supported by a section of the Council and some leaders, was in favour of co-operating. Consequently, in 1927 the League held two sessions, or rather each of the two sections of the League held its own separate session: the majority meeting at Calcutta under the presidentship of Maulvi Muhammad Yakub, and the minority meeting at Lahore under the chairmanship of Sir Muhammad Shafi. Official Muslim League publications and records of proceedings take notice of the Calcutta session only.

Sir Muhammad Shafi was one of the main supporters of the projected All India Muslim Conference.

### Document 4

The list of office-bearers presumably relates to the year 1930 when the booklet was published.

### Document 5

The list of invitees is given here to show how widely the conveners of the first All India Muslim Conference had cast their net. The 513 names mentioned provide a valuable roll of contemporary Muslim leadership. Some names are repeated under two or more headings.

### Document 6

The list names 206 persons. See the editor's note at the end of the text.

### Document 7

On 30 December 1928, a meeting of Muslim leaders was held at the residence of Hakim Muhammad Jameel Khan, in the Ballimaran Street. Among those who attended were: Seth Haji Abdullah Haroon, Sir Ibrahim Rahimtoola, Sir Muhammad Shafi, Nawab Muhammad Yusuf, Khan Bahaur Nawab Shaikh Wahiduddin, Nawab Shaikh Fariduddin, Fazal Ibrahim Rahmatoola, Nawab Muhammad Ismail Khan, Sir Abdul Karim Ghaznavi, Sir Rahim Bukhsh, Syed Habib, Abdul Aziz, Maulvi Mazharuddin, and Hakim Muhammad Jameel Khan himself. They met from 3 to 6 p.m. and laid down the procedure of the Conference.

An informal conference of Muslim leaders was also held on 31 December, the Conference day, at the Jamnagar House, under the presidentship of the Aga Khan. It lasted from 10:30 a.m. to 1 p.m., and was attended, among others, by: Sir Ibrahim Rahimtoola, Sir Muhammad Shafi, Sir Abdul Karim Ghuznavi, Seth Haji Abdullah Haroon, Maulvi Muhammad Yakub, Nawab Muhammad Ismail Khan, Malik Firoze Khan Noon, Nawab Muhammad Yusuf, Maulana Muhammad Shafee Daoodi, Dr. Ziauddin Ahmad, Fazal Ibrahim Rahmatoola, Mian Muhammad Shah Nawaz, Abdul Aziz, Maulana Kifayatullah, and Maulana Hasrat Mohani. The authorized compiler of the Report

of the first All India Muslim Conference calls this informal conference 'a consultation meeting' meant 'for preparing the groundwork for the open Conference'.

### Document 8

The statement is put here because, according to the Official Report, it was made between the address of the Chairman of the Reception Committee and that of the President of the Conference. It explains, in some detail, the idea behind the convening of the Conference. The statement was read out by Mr. Fazal Ibrahim Rahmatoola himself on behalf of the conveners of the Conference.

### Document 9

The address was delivered on 31 December 1928, the opening day of the Conference. Immediately after it, it was announced that all the delegates to the Conference would form themselves into the Subjects Committee which would meet at 10 a.m. on the following day, 1 January 1929.

On 31 December, at 6:30 p.m. a consultation meeting was held, under the presidency of the Aga Khan, at the Jamnagar House. Among those present were: Sir Muhammad Shafi, Sir Ibrahim Rahimtoola, Maulana Muhammad Shafee Daoodi, Nawab Muhammad Ismail Khan, Dr. L. K. Hyder, Shaikh Abdullah, Nawab Muhammad Yusuf, Fazal Ibrahim Rahmatoola, Sir Zulfiqar Ali Khan, Dr. Shafa'at Ahmad Khan, and Zahur Ahmad.

At this meeting, Sir Muhammad Shafi read out a resolution which he had drafted and wanted to move in the open session of the Conference. The meeting discussed it clause by clause.

### Document 10

On 1 January 1929, at 10 a.m. an informal conference of leaders met near the Conference *pandal* (stage) in a separate *shamiana* (tent) to discuss the whole situation facing the Conference. Maulana Muhammad Ali and Maulana Shaukat Ali, who had arrived from Calcutta, were present. Among the principal speakers were Sir Muhammad Shafi, Maulana Muhammad Ali, and Maulana Mufti Kifayatullah. After a long discussion,

the general principles on which the resolutions were to be drafted were agreed upon.

At 11 a.m. the Subjects Committee met in the Conference *pandal* with the Aga Khan in the Chair. The proceedings of this meeting were not published, but it was generally understood that the main difference of opinion centred round the question whether separate electorates were to be demanded unconditionally or joint electorates were to be accepted if certain conditions, like those embodied in the Delhi Proposals of March 1927 were fulfilled. Sir Muhammad Shafi defended the former position; Maulana Muhammad Ali and Maulana Muhammad Shafee Daoodi supported the latter suggestion.

At the opening of the regular session, Sir Muhammad Shafi moved the first resolution (No. 1 in the text). Maulana Muhammad Ali seconded it. Speeches in its support were delivered by Sir Abdul Karim Ghuznavi, Maulana Muhammad Shafee Daoodi, Dr. Sir Muhammad Iqbal, Sharfuddin, Hafiz Hidayat Husain, Maulvi Muhammad Yakub, Dr. Shafa'at Ahmad Khan, Abdul Aziz, Daoodbhoy Salehbhoy Tayebji, Seth Haji Abdullah Haroon, Maulana Abdul Majid Badayuni, Maulana Mufti Kifayatullah, Nawab Mehdi Husain, Maulana Azad Sobhani, Shaikh Muhammad Sadiq, and Maulana Muhammad Ali, in this order. It was put to the house and unanimously carried.

Maulana Shaukat Ali announced at this stage that as the President (the Aga Khan) wanted to leave, he (the Maulana) desired to move a resolution of thanks to him and other functionaries of the Conference. The resolution was moved, seconded by Zahur Ahmad and passed without dissent.

The Aga Khan briefly spoke in reply to the vote of thanks, and then proposed that Sir Ibrahim Rahimtoola should occupy the Chair. Sir Muhammad Shafi seconded it.

The proceedings continued under the presidentship of Sir Ibrahim Rahimtoola. Maulana Shaukat Ali moved the second resolution (No. 2 in the text), and Syed Habib seconded it. The supporting speakers included Mir Muhammad Baloch, Maulvi Anees Ahmad, Maulvi Mazharuddin, Mufti Muhammad Sadiq, Sahibzada Muhammad Rashiduddin, Gulsher Khan, and Muhammad Sadiq. It was unanimously passed.

Another resolution (the text of which is not available) con-

doled the death of the Rt. Hon. Sayyid Ameer Ali and that of Hakim Ajmal Khan. It was moved from the Chair.

Among the parties and groups officially represented at the Conference were: All India Muslim League (Lahore Section), Central Khilafat Committee, Jamiat-ul-Ulama-i-Hind, Central Muslim Legislative Assembly Party, Ahmadiyya Community, Jamiat-ul-Quraish, Bazm-i-Sufia, Zia-ul-Islam (Bombay), All India Muslim Federation, All India Shia Conference, Young Men's Muslim Association, Roohaniat Movement, Bombay Khilafat Committee, and Sind Khilafat Committee.

**Document 11**

This is the first time that the Conference passed a resolution on the Palestine problem.

**Document 12**

These were proposed by Maulana Muhammad Ali and seconded by Sir Abdul Qadir.

**Document 13**

Resolution No. 1: The two wings into which the All India Muslim League had been split in 1927 had now come together.

Resolution No. 2: This refers to Mr. Gandhi's civil disobedience campaign launched in March 1930.

**Document 14**

Resolution No. 1: It was moved by Dr. Shafa'at Ahmad Khan and seconded by Syed Habib Shah of Lahore.

Resolution No. 2: It was moved by Maulana Muhammad Shafee Daoodi and seconded by Mian Muhammad Shah Nawaz.

Resolution No. 3: It was moved by Fazal Ibrahim Rahmatoola and seconded by Muhammad Husain of Allahabad.

Resolution No. 4: It was moved from the Chair. Secretary's note: A sum of Rs. 15,000 was promised on the spot out, of which Rs. 1,590 were realized.

**Document 15**

Obviously this is not the full text. The *Indian Annual Register* does not say how short a summary it is publishing.

**Document 16**

Resolution No. 1: The Round Table Conference opened in London on 12 November 1930. The Muslim delegates were: The Aga Khan, Maulana Muhammad Ali, Sir Shah Nawaz Khan Bhutto, Nawab Sir Ahmad Said Khan of Chattari, Raja Sher Muhammad Khan, Abul Kasem Fazl-ul-Huq, Abdul Halim Ghuznavi, Sir Ghulam Husain Hidayatullah, Hafiz Hidayat Husain, Muhammad Ali Jinnah, Sahibzada Sir Abdul Qayyum, Sir Sultan Ahmad, Sir Muhammad Shafi, Dr. Shafa'at Ahmad Khan, Begum Shah Nawaz, and Chaudhari Zafrullah Khan.

**Document 17**

Nawab Muhammad Ismail Khan presided over this meeting of the Working Committee. Those present included: Maulana Shah Masood Ahmad, Raja of Salimpur, Mian Jafar Khan of Peshawar, Maulana Hasrat Mohani, Mufti Muhammad Shafique, Hasan Riaz, and Maulana Muhammad Shafee Daoodi. Another resolution (the text of which is not available) condoled the death of Pandit Motilal Nehru.

Resolution No. 1: For the text of the Prime Minister's speech, see *Indian Round Table Conference, 12 November 1930—19 January 1931 (Sub-Committees' Reports; Conference Resolution; and Prime Minister's Statement)*, 1931, Cmd. 3772, pp. 72-83. It was delivered on 19 January 1931.

Resolution No. 2: For the text of the Interim Report of the Federal Structure Sub-Committee, see *ibid.*, pp. 7-11; for the second Report, pp. 13-40.

Resolution No. 3: Full text of the Report of the Minorities Sub-Committee, dated 16 and 19 January 1931, available in *ibid.*, pp. 45-49.

Resolution No. 6: This special session met at Delhi on 5 April 1931 with Maulana Shaukat Ali as President.

The Working Committee again met at Delhi on 1 March.

The sitting lasted ten hours. Sixteen members attended. It was resolved that a special session be held in the last week of March at Delhi with the Aga Khan as President. The Committee expressed its belief that the Benares happenings were not a Hindu-Muslim riot but a calculated assault by the Hindus on defenceless Muslims. It appealed to Indian Muslims to extend their helping hand to their afflicted brethren in Benares and to send their contributions to the Raja of Salimpur. It was decided to send a deputation, consisting of Muslim councillors and others, to the Governor of the United Provinces to impress upon him the advisability of making good the losses suffered by the poor Benares Muslims.

The Committee recorded its sense of abhorrence at the occurrences at Utmanzai, its belief that the only panacea for such behaviour was the immediate grant of responsible government to the North-West Frontier Province, and its decision to send a deputation to Utmanzai to inquire into the tragic incident.

Maulana Hasrat Mohani placed the following resolution before the Committee:

> Whereas the Muslim community is now convinced that the Hindus are bent upon establishing a Hindu Raj in India and whereas the Hindus and the British Cabinet have joined hands to ignore most of the important Muslim demands contained in the Delhi resolution of this Conference, this Committee believes that the establishment of Dominion Status in India and the vesting of responsibility in the Legislatures is detrimental to Muslim interests and will, therefore, not be acceptable to them.
>
> In the opinion of the Committee until a definite settlement of the Muslim demands is arrived at, the Muslims should boycott all further proceedings of the Round Table Conference.
>
> To secure the sympathy and active support of all political parties in England and to prevent the British Cabinet from pursuing further anti-Muslim policy, it is necessary to send a deputation to England to educate the public opinion and warn that any constitutional advance without a satisfactory settlement of the communal questions will

result in a civil war in India. (*The Indian Annual Register 1931, Vol. I: January-June 1931*, p. 284.)

After a six-hour-long discussion, it was decided to postpone final decision on this resolution till the ensuing special session.

**Document 18**

The special session was held in the Sangham Theatre. Begum Muhammad Ali delivered her address as Chairwoman of the Reception Committee. Maulana Shaukat Ali was proposed to the Chair by Maulana Abdul Majid Badayuni.

**Document 19**

Resolution No. 1: It was moved by Mr. Zahur Ahmad and supported by Maulana Abdul Majid Badayuni, Mr. Fateh Muhammad and Haji Ali Muhammad.

Resolutions 2-15: These were moved by Malik Firoze Khan Noon and supported by a large number of delegates.

**Document 20**

The Working Committee met at the house of Sir Muhammad Shafi under the Chairmanship of Nawab Muhammad Ismail Khan. Thirteen members out of a total of sixteen attended, among whom were: Maulana Muhammad Shafee Daoodi, Maulana Shah Masood, Sir Muhammad Shafi, Sahibzada Sir Abdul Qayyum, Abdul Hafiz of Dacca, Syed Hasan Imam, Maulana Hasrat Mohani, Dr. Sir Muhammad Iqbal and Malik Firoze Khan Noon.

**Document 21**

For the text of the statement issued by Dr. Ansari on behalf of the Muslim Nationalist Party, see *The Civil and Military Gazette* (Lahore) of 25 June 1931.

**Document 22**

Nawab Muhammad Ismail Khan presided over this meeting of the Executive Board.

## Document 23

The Working Committee met under the Chairmanship of Sahibzada Sir Abdul Qayyum. Among other members present were Seth Haji Abdullah Haroon and Malik Firoze Khan Noon.

Resolution No. 2: Muslim members of the Federal Structure Sub-Committee were: the Nawab of Bhopal, Sir Akbar Hydari, Sir Mirza Ismail (all representing the Native States), the Aga Khan, Muhammad Ali Jinnah, Sir Sultan Ahmad, Dr. Shafa'at Ahmad Khan, Sir Muhammad Shafi, and Chaudhari Muhammad Zafrullah Khan. In some meetings Sir Sultan Ahmad was absent, and his place was taken by Abdul Halim Ghuznavi.

## Document 24

The following attended the meeting of the Working Committee: Nawab Muhammad Ismail Khan (Chairman), Maulana Shah Masood, Malik Firoze Khan Noon, Mufti Muhammad Sadiq, Maulana Abdul Majid Badayuni, Syed Zakir Ali, Hakim Muhammad Jameel Khan, Syed Husain Imam, Seth Haji Abdullah Haroon, Khwaja Ghulam Sibtain, and Syed Murtaza Sahib.

Resolution No. 2: The reference is to 'Provisions for a Settlement of the Communal Problem, put forward jointly by Muslims, Depressed Classes, Indian Christians, Anglo-Indians and Europeans'; full text in *Indian Round Table Conference (Second Session), 7 September 1931-1-December, 1931: Proceedings of Federal Structure Committee and Minorities Committee* (London, 1932), pp. 550-552.

## Document 25

This meeting of the Working Committee was attended by: Nawab Muhammad Ismail Khan (Chairman), Maulana Muhammad Shafee Daoodi (Secretary), Nawab Abdul Hafiz (of Dacca), Ghulam-us-Sibtain (Finance Secretary), Syed Zakir Ali (Secretary, United Provinces Muslim Conference), Maulana Abdul Majid Badayuni, Maulana Shah Masood Ahmad, Maulana Hasrat Mohani, Maulana Shaukat Ali, Shaikh Abdul Majeed, Maulana Murtaza Sahib Bahadur, Syed Habib Shah (of Lahore), Maulana Mazheruddin (of Delhi), Maulana Ghulam Rasool Mehr, and Dr. Shafa'at Ahmad Khan.

## Document 26

A summary of the address is available in *The Indian Annual Register 1932, Vol. I: January-June 1932*, pp. 301-306, and in *The Civil and Military Gazette*, Lahore, 23 March 1932.

## Document 27

Resolution No. 1: The date mentioned here as 'July 5, 1931' should read 'April 5, 1931'.

Some other resolutions were also passed which *The Indian Annual Register* does not give. One reads as follows:

> This Conference does not approve of the participation of Muslim members in the Round Table Conference in spite of the resolution of August 9, 1931, of the Executive Board of the Conference; and the Conference wants to make it perfectly clear that the Muslim Delegates' statement of November 26, 1931, regarding Provincial Autonomy, and any other proposal made by the Muslim delegates of the Round Table Conference or its sub-committees, in so far as that statement or proposal is inconsistent with the resolution or the demand of the Muslim Conference, are not acceptable to this Conference. (*The Civil and Military Gazette*, Lahore, 24 March 1932.)

Another resolution asked the Government to fix a definite percentage of posts in Railway Services for Muslims, and to appoint Muslim Deputy Agents and Staff Officers. Another expressed the dissatisfaction of the Conference with the constitution of the Kashmir Round Table Conference, and mentioned various other grievances of the Muslim subjects against the officials of the State. Other resolutions urged the constitution of Sind as a separate Province, the organization of a memorial to the late Sir Muhammad Shafi in the form of a daily newspaper, and the appointment of a non-official Muslim to the Executive Council of the Madras Presidency. (See *The Civil and Military Gazette*, Lahore, 24 March 1932.)

On 31 March, a meeting of the Working Committee was held at New Delhi under the Chairmanship of Seth Haji Abdullah Haroon. No resolutions were passed and the discussion centred round the question of giving effect to Resolution No. 1 of the

Lahore session. The Committee authorized the Secretary to issue the following statement:

"It is no wonder that a section of the Press has done great injustice to the Lahore session of the All India Muslim Conference by misrepresenting all that happened while the Conference was in session. The only subject that engrossed the earnest attention of the members was how best to achieve the immediate objective of securing the acceptance of the Muslim demands in regard to communal representation and minority safeguards in the future Constitution of India and to direct the growing tendency of the Muslim public to immediately start a movement for achieving those objectives of the Conference.

"Composed as the Conference was, all schools of thought were represented therein by their best intellect. The left wing had the opportunity to press its viewpoints and carry the Conference with it. Had not the communiqué issued on the 19th March pledged the honour of His Majesty's Government in announcing that it was their firm intention that there would be no avoidable delay in coming to a decision on the communal problem, the result would have been wholly different. The earnestness which the communiqué showed influenced the mind of many members of the Conference. The outcome was the compromise resolution which disclosed at once the mentality of the left wing as well as those [*sic*] of the right wing. This is enough to indicate to a genuine inquirer how the currents, the undercurrents and the cross-currents were shaping the resolution at the time.

"Although disappointment at the reticence of the British Government was strongly expressed, no break was allowed to take place with the Government at the time. Over three months were considered enough for the British Government to announce their decision in a manner which might satisfy the Musalmans of India as well as that large section of non-Muslims who, in their heart of hearts, feel that while majority rule is going to be established in India, the Musalmans must obtain security of their position in the future Constitution.

"The compromise, which was arrived at after a most careful consideration and exhaustive discussion by the Subjects Committee, was placed before the Conference and was accepted

without a single dissentient vote. The spirit of deep earnestness and determination which permeated the entire Conference is evidenced by the businesslike manner in which other resolutions were disposed of without the usual flood of verbose and long-winded oratory. We hope this statement will dispell all illusions created by interested press and parties.

"The resolutions passed by the Conference have been interpreted in some quarters as signifying an augmentation of Muslim demands. The Conference did nothing more than reiterate and elucidate its original demand as set forth in the resolution of the Conference on the 1st January, 1929, and reaffirmed its emphatic adherence to that resolution." (*The Indian Annual Register 1932, Vol. I: January-June 1932*, pp. 307-308.)

### Document 28

Among those who attended this meeting of the Working Committee were: Dr. Shafa'at Ahmad Khan, Maulana Syed Murtaza, Syed Habib Shah, Mufti Muhammad Sadiq, Syed Husain Imam and Maulana Muhammad Shafee Daoodi. Dr. Shafa'at Ahmad Khan presided.

*The Indian Annual Register 1932* (Vol. I, p. 308) wrongly gives the date of the Committee's meeting as 8 June; in fact it met on 7 June.

### Document 29

Sir Muhammad Iqbal presided over this meeting of the Working Committee, which was attended by: Malik Firoze Khan Noon, Maulana Mazheruddin, Syed Habib Shah, Syed Zakir Ali Maulana Muhammad Shafee Daoodi, Syed Husain Imam and Mufti Muhammad Sadiq.

### Document 30

On 20 August the Working Committee met, discussed the Communal Award, and appointed a committee, consisting, among others, of Syed Zakir Ali and Maulana Masood Ahmad, to draft the main resolution. The draft resolution was accepted by the Working Committee and, with a few amendments, was adopted for presentation to the Executive Board.

The Executive Board, with Sir Muhammad Iqbal as Chairman, was attended by 41 members, including: Dr. Shafa'at Ahmad Khan, Nawab Jamshed Ali Khan, Maulana Muhammad Shafee Daoodi, Hafiz Hidayat Husain, Muhammad Yamin Khan, Haji Wajehuddin, Nawab Muhammad Yusuf, Kunwar Ismail Khan, Haji Rahim Bukhsh, Syed Husain Imam, Ghulam Bhik Nairang, Muhammad Padshah, Sir Muhammad Iqbal, Malik Firoze Khan Noon, Nawab Muhammad Ismail Khan, and Dr. Ziauddin Ahmad.

### Document 31

In fact, these resolutions were passed by the All Parties Muslim Conference which represented practically all Muslim parties in India, including a large and strong contingent from the All India Muslim Conference.

The resolutions were drafted by a committee of about 20 members, including Maulana Shaukat Ali, Maulana Abul Kalam Azad, Nawab Muhammad Ismail Khan, Dr. Ziauddin Ahmad, Asaf Ali and Dr. Syed Mahmud.

### Document 32

These resolutions were passed by a joint conference of the Working Committee of the All India Muslim Conference, the Council of the All India Muslim League, and the Working Committee of the Jamiat-ul-Ulama-i-Hind. Among those who were present at this unique gathering were: Nawab Sir Zulfiqar Ali Khan, Mufti Muhammad Sadiq, Haji Rahim Bukhsh, Raja Sher Muhammad Khan, Kunwar Ismail Ali Khan, Haji Rashid Ahmad, Amir Husain, Maulana Muhammad Shafee Daoodi, Anwar-ul-Azeem, Zahur Ahmad, Nawab Muhammad Yusuf, Malik Firoze Khan Noon, Khwaja Nazimuddin, Syed Abdul Jabbar, Syed Zakir Ali, Muhammad Muazzam, Seth Haji Abdullah Haroon, Nawab Jamshed Ali Khan, Nawab Muhammad Ismail Khan, Fazal-ul-Huq Piracha, Syed Murtaza, Syed Mehr Shah, Dr. Ziauddin Ahmad, Ghulam Rasool Mehr, Abdul Mateen Chaudhari, Talib Mehdi Khan, Shaikh Abdul Majeed, Shaikh Muhammad Husain, Sir Muhammad Yakub, Syed Habib Shah, Ghulam Mohayyuddin, Seth Allah Bukhsh, Hafiz Wilayatullah, Muhammad Ibrahim Ali Khan

Tufail Ahmad Khan, Abdul Aziz, Nawabzada Khurshid Ali Khan and Ahmad Nawaz. Sir Abdullah Suhrawardy presided.

Nawab Muhammad Ismail Khan, Shaikh Abdul Majeed, and Shaikh Muhammad Husain, who had attended the Allahabad Unity Conference, explained that the conclusions reached at Allahabad were merely tentative. Later in the afternoon, Nawab Muhammad Ismail Khan and Shaikh Muhammad Husain left the meeting because, in their opinion, the general attitude of the meeting was unreasonable. It was reported that the meeting as a whole was from the outset not favourably disposed towards the Unity Conference proposals. Sir Muhammad Yakub and Malik Firoze Khan Noon were the foremost among those who took a firm stand against the acceptance of the Allahabad scheme.

### Document 33

This statement was issued in pursuance of Resolution No. 7 of the last document.

### Document 34

The opening day of this special session was attended by over 100 members of the Executive Board and 300 members of the general body. Among those present were Malik Firoze Khan Noon, Syed Husain Imam, Maulvi Muhammad Shafee Daoodi, Khawaja Nazimuddin, K. M. G. Farooqi, and Sir Shaheed Suhrawardy.

### Document 35

"The announcement of Sir Samuel Hoare [the Secretary of State for India] regarding the allocation of one-third of seats from British India in the Federal Legislature was welcomed; and one-third of Muslim representation, when the whole of the Federal Legislature was constituted, was demanded. Another resolution demanded one-third representation in the Central Cabinet and adequate representation in the Provincial Cabinets in Provinces in which Muslims are in a minority. The Conference also demanded that no Province should be without a Muslim representative in the Cabinet." (*The Civil and Military Gazette*, Lahore, 29 December 1932.)

**Document 36**

The Executive Board met at the Western Hotel under the Chairmanship of Sir Muhammad Iqbal. Nearly 40 members were present, including: Dr. Shafa'at Ahmad Khan, J. M. Padshah, Muhammad Muazzam, M. Chinoy, Nawab Ibrahim Ali Khan, Kunwar Ismail Ali Khan, Syed Husain Imam, Mahmood Suhrawardy, Muhammad Yamin Khan, Mian Muhammad Shah Nawaz, Seth Haji Abdullah Haroon, Sir Abdul Halim Ghuznavi, Sher Muhammad Khan and Haji Rahim Bukhsh.

Another resolution, the text of which is not available, eulogized the services rendered by the Aga Khan to the Muslim community at the Round Table Conference.

It was reported in the Press (see *The Civil and Military Gazette,* Lahore, 28 March 1933) that Sir Muhammad Iqbal and Dr. Shafa'at Ahmad Khan were rival candidates for the presidentship of the Conference. A compromise was reached, and the meeting elected Dr. Shafa'at Ahmad Khan President for the forthcoming annual session and asked Sir Muhammad Iqbal to continue to act as President till that session.

The resolution comments upon the *Proposals for Indian Constitutional Reform* (London, 1933, Cmd. 4268).

**Document 37**

Paragraph No. 3: The full text of the resolution referred to here is in Document 10.

Paragraph No. 5: For the text of this resolution, see Document 36.

**Document 38**

Members of the Joint Committee on Indian Constitutional Reform present on 1 August 1933 were:

Lord Archbishop of Canterbury
Marquess of Salisbury
Marquess of Zetland
Marquess of Linlithgow
Marquess of Reading
Earl Peel
Lord Ker (Marquess of Lothian)

Lord Irwin
Lord Rankeillour
Lord Hutchison of Montrose
Major Attlee
Mr. Butler
Major Cadogan
Sir Austen Chamberlain
Mr. Cocks
Sir Reginald Craddock
Mr. Davidson
Mr. Isaac Foot
Sir Joseph Nall
Lord Eustace Percy
Miss Pickford

The following Indian Delegates were also present:

*Indian States Representatives:*
Rao Bahadur Sir Krishnama Chari
Nawab Sir Liaquat Hayat Khan
Sir Akbar Hydari
Sir Mirza M. Ismail
Sir Manubhai N. Mehta
Mr. Y. Thombare

*British Indian Representatives:*
His Highness the Aga Khan
Dr. B. R. Ambedkar
Sir Hubert Carr
Mr. A. H. Ghuznavi
Lt. Col. Sir H. Gidney
Sir Hari Singh Gour
Mr. M. R. Jayakar
Mr. N. M. Joshi
Begum Shah Nawaz
Sir A. P. Patro
Sir Abdur Rahim
Sir Pheroze Sethna
Dr. Shafa'at Ahmad Khan
Sardar Buta Singh
Sir N. N. Sircar
Sir Purshotamdas Thakurdas
Mr. Zafrulla Khan

The Marquess of Linlithgow was in the Chair.

The witnesses on behalf of the All India Muslim Conference and the All India Muslim League were:

Mr. Abdullah Yusuf Ali, C.B.E.

Sir Muhammad Yakub, Kt., M.L.A.

Mr. H. S. Suhrawardy, M.L.C.

Dr. Khalifa Shujauddin, LL.D.

Khan Sahib Haji Rashid Ahmad.

**Document 39**

This letter was sent by Maulana Muhammad Shafee Daoodi, Working Secretary of the All India Muslim Conference, to Sir Samuel Hoare and the Aga Khan.

**Document 40**

The Working Committee met at the Cecil Hotel for four hours. Nawab Sir Ahmad Said Khan of Chattari presided. It was attended by: Sir Firoze Khan Noon, Sir Muhammad Yusuf, Seth Haji Abdullah Haroon, Dr. Ziauddin Ahmad, Abdul Halim Ghuznavi, Hafiz Hidayat Husain, Syed Abdul Hafeez, Syed Murtaza Sahib Bahadur, Ghulam Bhik Nairang, Maulana Muhammad Shafee Daoodi, Syed Husain Imam, Syed Habib Shah, Maulana Mazharuddin, Syed Raza Ali, Haji Syed Muhammad Husain, Maulvi Zamiruddin, Haji Rashid Ahmad, Mahmood Padshah and Haji Rahim Bukhsh. Among others present were Begum Shah Nawaz, Sir Muhammad Yakub, Niaz Kutub, Mir Maqbool Mahmood, Nawabzada Khurshid Ali Khan, Raghib Ahsan, Farzand Ali, Syed Amjad Ali, Muhammad Siddiq Multani, S. M. Abdullah and Muhammad Yamin Khan.

All these resolutions were in substance agreed to by the Council of the All India Muslim League which met at Simla on the same day with Syed Raza Ali in the Chair.

**Document 41**

The Nawab of Chattari presided over the meeting of the Working Committee. Names of members attending are not available.

## Document 42

The Nawab of Chattari presided over the meeting of the Executive Board. The question of amalgamating the Conference with other Muslim organizations loomed large in the discussion, but the matter was left over without any decision. It was decided to postpone the consideration of the Government of India Bill to the next meeting. There was some reference to the talks being carried on between Mr. M. A. Jinnah and Mr. Rajendra Prasad; but importance was not attached to them, as they had not reached any definite stage. (See *The Civil and Military Gazette*, Lahore, 19 February 1935)

## Document 43

The Nawab of Chattari presided over the meeting of the Executive Board. As regards the Government of India Bill, the Board thought that no fresh action was necessary, as there had been no new developments. Seth Haji Abdullah Haroon was elected president of the next session of the Conference. Sir Muhammad Yakub was elected Joint Working Secretary of the Conference.

## Document 44

The cable was sent by Seth Haji Abdullah Haroon.

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This short reading list is intended to guide the reader who is interested in going further into the background, history, activities and importance of the All India Muslim Conference. For a fuller bibliography, he is referred to my *The Historic Background of Pakistan 1857-1947: An Annotated Digest of Source Material* (Pakistan Institute of International Affairs, Karachi, 1970).


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